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FEDERAL REGISTER

VOLUME 16 NUMBER 141

Washington, Saturday, July 21, 1951

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 8—PROMOTION, DEMOTION, AND REASSIGNMENT AND MOVEMENT OF EMPLOYEES BETWEEN AGENCIES WITH REEMPLOYMENT RIGHTS

MISCELLANEOUS AMENDMENTS

EDITORIAL NOTE: The original document designated F. R. Doc. 51-7942, appearing at page 6661 of the issue for Tuesday, July 10, 1951, has been changed as follows:

In § 8.109 (b), grade "GS-5" has been changed to "GS-6" so that paragraph (b) now reads:

(b) No person shall be appointed or promoted to a position in any grade from GS-6 to GS-11, inclusive (or equivalent) which is more than two grades, or to a position in grade GS-12, or higher (or equivalent) which is more than one grade above the lowest grade held by him in the Federal civil service within the preceding six months under indefinite or permanent appointment.

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Wheat]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

The 1951 C. C. C. Grain Price Support Bulletin 1, 16 F. R. 1987, issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951 was supplemented by 1951 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Wheat, 16 F. R. 2777, containing the specific requirements applicable to price support operations on wheat of the 1951 crop. These regulations are further supplemented as follows:

§ 601.1221 *Support rates.* Basic support rates for wheat placed under loan and for wheat delivered under purchase agreement are as set forth in this section.

(a) *Basic support rates at designated terminal markets.* Basic support rates per bushel for No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard white, No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring, No. 1 hard amber durum, No. 1 amber durum, and No. 1 durum, stored in approved warehouses at the terminal markets listed below are as follows:

Terminal market:	*Rate per bushel*
Albany, N. Y.	$2.61
Astoria, Oreg.	2.40
Baltimore, Md.	2.61
Cairo, Ill.	2.50
Chicago, Ill.	2.50
Cincinnati, Ohio	2.48
Council Bluffs, Iowa	2.45
Duluth, Minn.	2.47
East St. Louis, Ill.	2.50
Evansville, Ind.	2.48
Galveston, Tex.	2.57
Houston, Tex.	2.57
Kansas City, Kans.	2.45
Kansas City, Mo.	2.45
Longview, Wash.	2.40
Los Angeles, Calif.	2.45
Louisville, Ky.	2.48
Memphis, Tenn.	2.50
Milwaukee, Wis.	2.50
Minneapolis, Minn.	2.47
New Orleans, La.	2.57
Norfolk, Va.	2.61
Oakland, Calif.	2.45
Omaha, Nebr.	2.45
Philadelphia, Pa.	2.61
Portland, Oreg.	2.40
St. Joseph, Mo.	2.45
St. Louis, Mo.	2.50
St. Paul, Minn.	2.47
San Francisco, Calif.	2.45
Seattle, Wash.	2.40
Sioux City, Iowa	2.45
Superior, Wis.	2.47
Tacoma, Wash.	2.40
Vancouver, Wash.	2.40

(b) *Basic county support rates.* The following basic county support rates per

(Continued on p. 7121)]

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

bushel are established for No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard white, No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring, No. 1 hard amber durum, No. 1 amber durum, and No. 1 durum. Both farm-storage and country warehouse-storage loans will be made at the support rate established for the county in which the wheat is stored.

ALABAMA	Rate per bushel
All counties	$2.33

ARIZONA

County	Rate per bushel	County	Rate per bushel
Apache	$1.85	Mohave	$1.99
Cochise	2.01	Navajo	1.85
Coconino	1.90	Pima	2.13
Graham	1.97	Pinal	2.19
Greenlee	1.97	Yavapai	2.03
Maricopa	2.19	Yuma	2.20

ARKANSAS

Arkansas	$2.20	Little River	$2.23
Baxter	2.17	Logan	2.14
Benton	2.16	Madison	2.16
Clay	2.24	Marion	2.15
Conway	2.19	Miller	2.24
Craighead	2.24	Mississippi	2.24
Crawford	2.15	Poinsett	2.25
Cross	2.25	Pope	2.16
Faulkner	2.20	Pulaski	2.21
Franklin	2.15	Saline	2.19
Garland	2.21	Searcy	2.15
Greene	2.24	Sebastian	2.15
Independence	2.21	Sevier	2.23
Izard	2.19	Sharp	2.22
Jackson	2.23	Stone	2.19
Johnson	2.16	Van Buren	2.17
Lafayette	2.24	Washington	2.16
Lawrence	2.24	Yell	2.16

CALIFORNIA

County	Rate per bushel	County	Rate per bushel
Alameda	$2.33	El Dorado	$2.24
Alpine	2.07	Fresno	2.27
Amador	2.28	Glenn	2.25
Butte	2.26	Humboldt	2.12
Colusa	2.27	Imperial	2.25
Contra Costa	2.34	Inyo	2.11

CALIFORNIA—Continued

County	Rate per bushel	County	Rate per bushel
Kern	$2.26	San Diego	$2.27
Kings	2.26	San Joaquin	2.31
Lake	2.28	San Luis Obispo	2.26
Lassen	2.13	Santa Barbara	2.27
Los Angeles	2.32	Santa Clara	2.33
Madera	2.28	Shasta	2.19
Mariposa	2.29	Sierra	2.15
Mendocino	2.25	Siskiyou	2.14
Merced	2.29	Solano	2.32
Modoc	2.09	Stanislaus	2.30
Mono	2.05	Sutter	2.28
Monterey	2.29	Tehama	2.25
Napa	2.31	Trinity	2.21
Nevada	2.24	Tulare	2.26
Orange	2.31	Ventura	2.32
Placer	2.27	Yolo	2.30
Plumas	2.15	Yuba	2.29
Riverside	2.28		
Sacramento	2.29		
San Benito	2.30		
San Bernardino	2.29		

COLORADO

Adams	$2.13	La Plata	$1.98
Alamosa	2.04	Larimer	2.13
Arapahoe	2.13	Las Animas	2.13
Archuleta	1.98	Lincoln	2.13
Baca	2.14	Logan	2.13
Bent	2.14	Mesa	1.98
Boulder	2.13	Moffat	1.98
Chaffee	2.01	Montezuma	1.90
Cheyenne	2.15	Montrose	1.98
Conejos	2.04	Morgan	2.13
Costilla	2.05	Otero	2.13
Crowley	2.13	Ouray	1.98
Delta	1.98	Phillips	2.15
Denver	2.13	Pitkin	1.98
Dolores	1.90	Prowers	2.15
Douglas	2.13	Pueblo	2.13
Eagle	1.98	Rio Blanco	1.98
Elbert	2.13	Rio Grande	2.04
El Paso	2.13	Routt	1.98
Freemont	2.08	Saguache	2.01
Garfield	1.98	San Miguel	1.98
Grand	2.02	Sedgwick	2.15
Huerfano	2.11	Summit	2.02
Jefferson	2.13	Washington	2.13
Kiowa	2.15	Weld	2.13
Kit Carson	2.15	Yuma	2.14

DELAWARE

Kent	$2.44	Sussex	$2.41
New Castle	2.44		

GEORGIA

All counties	$2.36

IDAHO

County	Rate per bushel	County	Rate per bushel
Ada	$2.02	Gem	$2.03
Adams	2.02	Gooding	1.97
Bannock	1.96	Idaho	2.08
Bear Lake	1.98	Jefferson	1.95
Benewah	2.10	Jerome	1.97
Bingham	1.96	Kootenai	2.09
Blaine	1.95	Latah	2.10
Boise	2.02	Lemhi	1.93
Bonner	2.08	Lewis	2.09
Bonneville	1.96	Lincoln	1.96
Boundary	2.06	Madison	1.95
Butte	1.95	Minidoka	1.96
Camas	1.95	Nez Perce	2.10
Canyon	2.02	Oneida	1.96
Caribou	1.96	Owyhee	2.01
Cassia	1.97	Payette	2.03
Clark	1.95	Power	1.96
Clearwater	2.10	Shoshone	2.07
Custer	1.95	Teton	1.95
Elmore	1.98	Twin Falls	1.98
Franklin	1.96	Valley	2.00
Fremont	1.95	Washington	2.04

ILLINOIS

Adams	$2.29	Bond	$2.33
Alexander	2.31	Boone	2.32

ILLINOIS—Continued

County	Rate per bushel	County	Rate per bushel
Brown	$2.29	Logan	$2.31
Bureau	2.31	McDonough	2.29
Calhoun	2.33	McHenry	2.33
Carroll	2.30	McLean	2.31
Cass	2.31	Macon	2.31
Champaign	2.31	Macoupin	2.33
Christian	2.31	Madison	2.34
Clark	2.31	Marion	2.31
Clay	2.31	Marshall	2.31
Clinton	2.33	Mason	2.31
Coles	2.31	Massac	2.30
Cook	2.34	Menard	2.31
Crawford	2.31	Mercer	2.29
Cumberland	2.31	Monroe	2.33
DeKalb	2.33	Montgomery	2.32
DeWitt	2.31	Morgan	2.31
Douglas	2.31	Moultrie	2.31
Du Page	2.34	Ogle	2.32
Edgar	2.31	Peoria	2.31
Edwards	2.31	Perry	2.31
Effingham	2.31	Piatt	2.31
Fayette	2.31	Pike	2.30
Ford	2.31	Pope	2.29
Franklin	2.31	Pulaski	2.31
Fulton	2.31	Putnam	2.31
Gallatin	2.27	Randolph	2.31
Greene	2.33	Richland	2.30
Grundy	2.33	Rock Island	2.29
Hamilton	2.29	Saint Clair	2.33
Hancock	2.28	Saline	2.29
Hardin	2.27	Sangamon	2.31
Henderson	2.29	Schuyler	2.30
Henry	2.30	Scott	2.31
Iroquois	2.33	Shelby	2.31
Jackson	2.31	Stark	2.31
Jasper	2.31	Stephenson	2.30
Jefferson	2.31	Tazewell	2.31
Jersey	2.33	Union	2.31
Jo Daviess	2.30	Vermilion	2.32
Johnson	2.28	Wabash	2.30
Kane	2.34	Warren	2.29
Kankakee	2.34	Washington	2.31
Kendall	2.34	Wayne	2.29
Knox	2.30	White	2.28
Lake	2.34	Whiteside	2.30
La Salle	2.32	Will	2.34
Lawrence	2.31	Williamson	2.31
Lee	2.32	Winnebago	2.31
Livingston	2.32	Woodford	2.31

INDIANA

County	Rate per bushel	County	Rate per bushel
Adams	$2.26	Jay	$2.27
Allen	2.26	Jefferson	2.28
Bartholomew	2.29	Jennings	2.29
Benton	2.31	Johnson	2.30
Blackford	2.28	Knox	2.29
Boone	2.27	Kosciusko	2.23
Brown	2.28	Lagrange	2.27
Carroll	2.31	Lake	2.33
Cass	2.29	La Porte	2.32
Clark	2.32	Lawrence	2.29
Clay	2.31	Madison	2.27
Clinton	2.30	Marion	2.27
Crawford	2.29	Marshall	2.29
Daviess	2.26	Martin	2.25
Dearborn	2.31	Miami	2.29
Decatur	2.30	Monroe	2.28
De Kalb	2.27	Montgomery	2.30
Delaware	2.27	Morgan	2.30
Dubois	2.27	Newton	2.33
Elkhart	2.28	Noble	2.27
Fayette	2.30	Ohio	2.30
Floyd	2.32	Orange	2.31
Fountain	2.27	Owen	2.30
Franklin	2.30	Parke	2.27
Fulton	2.30	Perry	2.27
Gibson	2.29	Pike	2.25
Grant	2.27	Porter	2.33
Greene	2.30	Posey	2.31
Hamilton	2.28	Pulaski	2.32
Hancock	2.28	Putnam	2.30
Harrison	2.29	Randolph	2.28
Hendricks	2.27	Ripley	2.30
Henry	2.28	Rush	2.28
Howard	2.28	Saint Joseph	2.30
Huntington	2.27	Scott	2.30
Jackson	2.30	Shelby	2.28
Jaspar	2.33	Spencer	2.27

INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Starke	$2.32	Vigo	$2.31
Steuben	2.26	Wabash	2.28
Sullivan	2.31	Warren	2.31
Switzerland	2.29	Warrick	2.26
Tippecanoe	2.31	Washington	2.30
Tipton	2.27	Wayne	2.28
Union	2.30	Wells	2.26
Vanderburgh	2.29	White	2.32
Vermillion	2.32	Whitley	2.28

IOWA

County	Rate per bushel	County	Rate per bushel
Adair	$2.26	Jefferson	$2.25
Adams	2.27	Johnson	2.27
Allamakee	2.25	Jones	2.28
Appanoose	2.26	Keokuk	2.25
Audubon	2.27	Kossuth	2.25
Benton	2.26	Lee	2.27
Black Hawk	2.25	Linn	2.27
Boone	2.25	Louisa	2.27
Bremer	2.25	Lucas	2.24
Buchanan	2.26	Lyon	2.28
Buena Vista	2.26	Madison	2.25
Butler	2.25	Mahaska	2.24
Calhoun	2.25	Marion	2.24
Carroll	2.27	Marshall	2.24
Cass	2.27	Mills	2.30
Cedar	2.28	Mitchell	2.26
Cerro Gordo	2.26	Monona	2.29
Cherokee	2.29	Monroe	2.25
Chickasaw	2.25	Montgomery	2.29
Clarke	2.25	Muscatine	2.28
Clay	2.26	O'Brien	2.28
Clayton	2.26	Osceola	2.27
Clinton	2.29	Page	2.28
Crawford	2.28	Palo Alto	2.25
Dallas	2.25	Plymouth	2.30
Davis	2.27	Pocahontas	2.25
Decatur	2.24	Polk	2.24
Delaware	2.26	Pottawattamie	2.30
Des Moines	2.28	Poweshiek	2.25
Dickinson	2.25	Ringgold	2.25
Dubuque	2.27	Sac	2.26
Emmet	2.26	Scott	2.29
Fayette	2.25	Shelby	2.29
Floyd	2.26	Sioux	2.29
Franklin	2.25	Story	2.24
Fremont	2.29	Tama	2.25
Greene	2.26	Taylor	2.27
Grundy	2.24	Union	2.26
Guthrie	2.26	Van Buren	2.26
Hamilton	2.24	Wapello	2.25
Hancock	2.26	Warren	2.24
Hardin	2.24	Washington	2.26
Harrison	2.30	Wayne	2.25
Henry	2.27	Webster	2.25
Howard	2.26	Winnebago	2.26
Humboldt	2.24	Winneshiek	2.25
Ida	2.28	Woodbury	2.30
Iowa	2.26	Worth	2.27
Jackson	2.28	Wright	2.25
Jasper	2.24		

KANSAS

County	Rate per bushel	County	Rate per bushel
Allen	$2.26	Ellis	$2.20
Anderson	2.27	Ellsworth	2.22
Atchinson	2.29	Finney	2.18
Barber	2.20	Ford	2.19
Barton	2.20	Franklin	2.28
Bourbon	2.27	Geary	2.24
Brown	2.28	Gove	2.19
Butler	2.22	Graham	2.20
Chase	2.24	Grant	2.17
Chautauqua	2.24	Gray	2.18
Cherokee	2.25	Greeley	2.17
Cheyenne	2.17	Greenwood	2.25
Clark	2.18	Hamilton	2.17
Clay	2.24	Harper	2.21
Cloud	2.23	Harvey	2.22
Coffey	2.26	Haskell	2.18
Comanche	2.19	Hodgeman	2.20
Cowley	2.22	Jackson	2.27
Crawford	2.26	Jefferson	2.29
Decatur	2.19	Jewell	2.22
Dickinson	2.22	Johnson	2.30
Doniphan	2.30	Kearny	2.17
Douglas	2.29	Kingman	2.22
Edwards	2.20	Kiowa	2.20
Elk	2.24	Labette	2.25

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Lane	$2.19	Republic	$2.23
Leavenworth	2.30	Rice	2.22
Lincoln	2.22	Riley	2.25
Linn	2.27	Rooks	2.21
Logan	2.17	Rush	2.20
Lyon	2.25	Russell	2.21
McPherson	2.22	Saline	2.22
Marion	2.22	Scott	2.18
Marshall	2.25	Sedgwick	2.22
Meade	2.18	Seward	2.17
Miami	2.29	Shawnee	2.27
Mitchell	2.22	Sheridan	2.19
Montgomery	2.25	Sherman	2.17
Morris	2.24	Smith	2.22
Morton	2.15	Stafford	2.20
Nemaha	2.26	Stanton	2.16
Neosho	2.26	Stevens	2.16
Ness	2.20	Sumner	2.22
Norton	2.20	Thomas	2.18
Osborne	2.21	Trego	2.20
Osage	2.27	Wabaunsee	2.26
Ottawa	2.22	Wallace	2.17
Pawnee	2.20	Washington	2.24
Phillips	2.20	Wichita	2.17
Pottawatomie	2.26	Wilson	2.25
Pratt	2.20	Woodson	2.26
Rawlins	2.18	Wyandotte	2.30
Reno	2.22		

KENTUCKY

County	Rate per bushel	County	Rate per bushel
Adair	$2.30	Knox	$2.32
Allen	2.30	Larue	2.29
Anderson	2.30	Laurel	2.32
Ballard	2.26	Lawrence	2.26
Barren	2.29	Lee	2.30
Bath	2.28	Lewis	2.27
Boone	2.32	Lincoln	2.31
Bourbon	2.28	Livingston	2.27
Boyd	2.26	Logan	2.28
Boyle	2.30	Lyon	2.27
Bracken	2.27	McCracken	2.26
Breckenridge	2.27	McCreary	2.32
Bullitt	2.29	McLean	2.27
Butler	2.28	Madison	2.30
Caldwell	2.27	Magoffin	2.28
Calloway	2.27	Marion	2.30
Campbell	2.29	Marshall	2.27
Carlisle	2.27	Mason	2.27
Carroll	2.27	Meade	2.28
Carter	2.28	Menifee	2.29
Casey	2.31	Mercer	2.30
Christian	2.28	Metcalfe	2.29
Clark	2.29	Monroe	2.30
Clay	2.32	Montgomery	2.29
Clinton	2.31	Morgan	2.29
Crittenden	2.26	Muhlenberg	2.27
Cumberland	2.30	Nelson	2.29
Daviess	2.26	Nicholas	2.28
Edmonson	2.29	Ohio	2.27
Elliott	2.28	Oldham	2.29
Estill	2.31	Owen	2.28
Fayette	2.30	Owsley	2.31
Fleming	2.27	Pendleton	2.27
Franklin	2.29	Powell	2.30
Fulton	2.27	Pulaski	2.32
Gallatin	2.27	Robertson	2.28
Garrard	2.31	Rockcastle	2.32
Grant	2.29	Rowan	2.28
Graves	2.27	Russell	2.31
Grayson	2.28	Scott	2.29
Green	2.30	Shelby	2.30
Greenup	2.26	Simpson	2.29
Hancock	2.26	Spencer	2.30
Hardin	2.28	Taylor	2.30
Harrison	2.28	Todd	2.28
Hart	2.29	Trigg	2.28
Henderson	2.26	Trimble	2.28
Henry	2.28	Union	2.26
Hickman	2.27	Warren	2.29
Hopkins	2.27	Washington	2.29
Jackson	2.32	Wayne	2.32
Jefferson	2.32	Webster	2.27
Jessamine	2.30	Whitley	2.32
Johnson	2.28	Wolfe	2.29
Kenton	2.32	Woodford	2.30

MAINE

All counties	$2.34

MARYLAND

County	Rate per bushel	County	Rate per bushel
Allegany	$2.36	Howard	$2.40
Anne Arundel	2.42	Kent	2.44
Baltimore	2.44	Montgomery	2.58
Calvert	2.40	Prince Georges	2.40
Caroline	2.42	Queen Annes	2.44
Carroll	2.42	St. Marys	2.40
Cecil	2.42	Somerset	2.37
Charles	2.40	Talbot	2.44
Dorchester	2.39	Washington	2.37
Frederick	2.39	Wicomico	2.28
Garrett	2.32	Worcester	2.38
Harford	2.41		

MICHIGAN

Alcona	$2.17	Lapeer	$2.25
Alger	2.19	Leelanau	2.17
Allegan	2.25	Lenawee	2.27
Alpena	2.17	Livingston	2.25
Antrim	2.16	Luce	2.16
Arenac	2.19	Mackinac	2.16
Baraga	2.18	Macomb	2.28
Barry	2.25	Manistee	2.19
Bay	2.23	Marquette	2.20
Benzie	2.18	Mason	2.21
Berrien	2.28	Mecosta	2.21
Branch	2.26	Menominee	2.23
Calhoun	2.27	Midland	2.24
Cass	2.28	Missaukee	2.19
Charlevoix	2.16	Monroe	2.28
Cheboygan	2.16	Montcalm	2.24
Chippewa	2.16	Montmorency	2.16
Clare	2.22	Muskegon	2.24
Clinton	2.25	Newaygo	2.22
Crawford	2.17	Oakland	2.26
Delta	2.21	Oceana	2.21
Eaton	2.25	Ogemaw	2.22
Emmet	2.16	Osceola	2.19
Genesee	2.25	Oscoda	2.18
Gladwin	2.22	Otsego	2.17
Grand Traverse	2.18	Ottawa	2.25
Gratiot	2.25	Presque Isle	2.16
Hillsdale	2.25	Roscommon	2.18
Huron	2.23	Saginaw	2.25
Ingham	2.25	Saint Clair	2.27
Ionia	2.25	Saint Joseph	2.27
Iosco	2.18	Sanilac	2.24
Isabella	2.23	Schoolcraft	2.16
Jackson	2.26	Shiawassee	2.25
Kalamazoo	2.28	Tuscola	2.24
Kalkaska	2.17	Van Buren	2.27
Kent	2.25	Washtenaw	2.27
Lake	2.20	Wayne	2.28
		Wexford	2.18

MINNESOTA

Aitkin	$2.30	Koochiching	$2.23
Anoka	2.33	Lac Qui Parle	2.26
Becker	2.25	Lake	2.31
Beltrami	2.25	Lake of the Woods	2.23
Benton	2.29	Le Sueur	2.30
Big Stone	2.26	Lincoln	2.26
Blue Earth	2.29	Lyon	2.27
Brown	2.29	McLeod	2.31
Carlton	2.31	Mahnomen	2.24
Carver	2.32	Marshall	2.22
Cass	2.28	Martin	2.27
Chippewa	2.28	Meeker	2.31
Chicago	2.31	Mille Lacs	2.30
Clay	2.25	Morrison	2.28
Clearwater	2.25	Mower	2.28
Cottonwood	2.28	Murray	2.26
Crow Wing	2.28	Nicollet	2.30
Dakota	2.32	Nobles	2.26
Dodge	2.29	Norman	2.24
Douglas	2.28	Olmsted	2.29
Faribault	2.27	Otter Tail	2.26
Fillmore	2.26	Pennington	2.24
Freeborn	2.28	Pine	2.30
Goodhue	2.30	Pipestone	2.26
Grant	2.27	Polk	2.23
Hennepin	2.33	Pope	2.28
Houston	2.26	Red Lake	2.24
Hubbard	2.26	Redwood	2.28
Isanti	2.31	Renville	2.29
Itasca	2.27	Rice	2.31
Jackson	2.26	Rock	2.27
Kanabec	2.30	Roseau	2.22
Kandiyohi	2.30	Saint Louis	2.30
Kittson	2.21		

MINNESOTA—Continued

County	Rate per bushel	County	Rate per bushel
Scott	$2.32	Wadena	$2.27
Sherburne	2.31	Waseca	2.29
Sibley	2.30	Washington	2.33
Stearns	2.29	Watonwan	2.28
Steele	2.29	Wilkin	2.25
Stevens	2.27	Winona	2.28
Swift	2.28	Wright	2.31
Todd	2.28	Yellow Medicine	2.27
Traverse	2.26		
Wabasha	2.30		

MISSISSIPPI

All counties	$2.23

MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	$2.28	Linn	$2.27
Andrew	2.30	Livingston	2.27
Atchison	2.27	McDonald	2.24
Audrain	2.30	Macon	2.28
Barry	2.24	Madison	2.30
Barton	2.26	Maries	2.30
Bates	2.28	Marion	2.30
Benton	2.26	Mercer	2.25
Bollinger	2.29	Miller	2.28
Boone	2.29	Mississippi	2.27
Buchanan	2.30	Moniteau	2.28
Butler	2.27	Monroe	2.29
Caldwell	2.28	Montgomery	2.31
Callaway	2.30	Morgan	2.27
Camden	2.27	New Madrid	2.27
Cape Girardeau	2.29	Newton	2.24
Carroll	2.27	Nodaway	2.27
Carter	2.26	Oregon	2.31
Cass	2.29	Osage	2.30
Cedar	2.26	Pemiscot	2.27
Chariton	2.27	Perry	2.31
Christian	2.24	Pettis	2.27
Clark	2.28	Phelps	2.30
Clay	2.29	Pike	2.30
Clinton	2.30	Platte	2.30
Cole	2.29	Polk	2.25
Cooper	2.28	Pulaski	2.29
Crawford	2.31	Putnam	2.24
Dade	2.25	Ralls	2.30
Dallas	2.25	Randolph	2.29
Daviess	2.28	Ray	2.28
De Kalb	2.30	Reynolds	2.29
Dent	2.30	Ripley	2.27
Douglas	2.22	Saint Charles	2.36
Dunklin	2.26	Saint Clair	2.28
Franklin	2.33	Sainte Genevieve	2.32
Gasconade	2.31	Saint Francois	2.32
Gentry	2.28	Saint Louis	2.36
Greene	2.24	Saline	2.27
Grundy	2.26	Schuyler	2.27
Harrison	2.26	Scotland	2.28
Henry	2.28	Scott	2.28
Hickory	2.26	Shannon	2.23
Holt	2.29	Shelby	2.29
Howard	2.29	Stoddard	2.28
Howell	2.21	Stone	2.23
Iron	2.30	Sullivan	2.27
Jackson	2.30	Taney	2.22
Jasper	2.25	Texas	2.24
Jefferson	2.34	Vernon	2.27
Johnson	2.28	Warren	2.33
Knox	2.28	Washington	2.32
Laclede	2.27	Wayne	2.29
LaFayette	2.28	Webster	2.25
Lawrence	2.24	Worth	2.27
Lewis	2.29	Wright	2.24
Lincoln	2.33		

MONTANA

County	Rate per bushel based on Minneapolis (less than 13 percent protein)	Rate per bushel based on Portland (less than 10 percent protein)
Beaverhead	[1] $1.94	
Big Horn	[1] 2.01	
Blaine	2.02	

[1] Based on Omaha.

MONTANA—Continued

County	Rate per bushel based on Minneapolis (less than 13 percent protein)	Rate per bushel based on Portland (less than 10 percent protein)
Broadwater	$1.99	$1.96
Carbon	2.00	
Carter	2.10	
Cascade	2.00	
Chouteau	2.00	
Custer	2.07	
Daniels	2.08	
Dawson	2.09	
Dear Lodge	1.96	1.96
Fallon	2.10	
Fergus	2.00	
Flathead		2.00
Gallatin	2.00	
Garfield	2.05	
Glacier	2.00	1.97
Golden Valley	2.00	
Granite	1.95	1.97
Hill	2.00	
Jefferson	1.98	1.96
Judith Basin	2.00	
Lake		2.00
Lewis and Clark	1.99	1.96
Liberty	2.00	
Lincoln		2.02
McCone	2.09	
Madison	1.98	1.96
Meagher	2.00	
Mineral		2.00
Missoula		1.98
Musselshell	2.03	
Park	2.00	
Petroleum	2.01	
Phillips	2.04	
Pondera	1.99	
Powder River	2.09	
Powell	1.96	1.96
Prairie	2.09	
Ravalli		1.96
Richland	2.10	
Roosevelt	2.10	
Rosebud	2.05	
Sanders		2.02
Sheridan	2.09	
Silver Bow	1.97	1.96
Stillwater	2.00	
Sweet Grass	2.00	
Teton	2.00	
Toole	2.00	
Treasure	2.03	
Valley	2.06	
Wheatland	2.00	
Wibaux	2.11	
Yellowstone	2.01	

The applicable rate on a lot of wheat in Broadwater, Glacier, Jefferson, Lewis and Clark, Madison, and Silver Bow Counties shall be determined as follows:

1. Subtract all applicable discounts from the rate based on Minneapolis and from the rate based on Portland shown above.

2. If the lot of wheat contains 10 percent or more protein, add the applicable Minneapolis protein premium, if any, shown in the schedule of protein premiums to the rate based on Minneapolis; then add the applicable Portland protein premium from the same schedule to the rate based on Portland.

3. The applicable rate on the lot of wheat will be the highest as determined above.

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	$2.24	Dawson	$2.22
Antelope	2.25	Deuel	2.16
Arthur	2.17	Dixon	2.29
Banner	2.14	Dodge	2.29
Blaine	2.20	Douglas	2.30
Boone	2.26	Dundy	2.17
Box Butte	2.16	Fillmore	2.26
Boyd	2.22	Franklin	2.22
Brown	2.20	Frontier	2.20
Buffalo	2.24	Furnas	2.21
Burt	2.29	Gage	2.27
Butler	2.28	Garden	2.16
Cass	2.30	Garfield	2.23
Cedar	2.28	Gosper	2.21
Chase	2.17	Grant	2.17
Cherry	2.19	Greeley	2.25
Cheyenne	2.13	Hall	2.25
Clay	2.24	Hamilton	2.26
Colfax	2.28	Harlan	2.22
Cuming	2.28	Hayes	2.18
Custer	2.22	Hitchcock	2.18
Dakota	2.29	Holt	2.23
Dawes	2.14	Hooker	2.19

NEBRASKA—Continued

County	Rate per bushel	County	Rate per bushel
Howard	$2.25	Platte	$2.27
Jefferson	2.26	Polk	2.27
Johnson	2.27	Red Willow	2.20
Kearney	2.23	Richardson	2.26
Keith	2.17	Rock	2.21
Keya Paha	2.21	Saline	2.27
Kimball	2.13	Sarpy	2.30
Knox	2.25	Saunders	2.29
Lancaster	2.29	Scotts Bluff	2.14
Lincoln	2.20	Seward	2.28
Logan	2.21	Sheridan	2.16
Loup	2.23	Sherman	2.24
McPherson	2.19	Sioux	2.14
Madison	2.26	Stanton	2.27
Merrick	2.26	Thayer	2.25
Morrill	2.15	Thomas	2.20
Nance	2.26	Thurston	2.29
Nemaha	2.27	Valley	2.23
Nuckolls	2.24	Washington	2.29
Otoe	2.29	Wayne	2.28
Pawnee	2.26	Webster	2.23
Perkins	2.17	Wheeler	2.25
Phelps	2.22	York	2.26
Pierce	2.26		

NEVADA

Churchill	$2.11	Lyon	$2.00
Clark	2.02	Mineral	1.86
Douglas	2.07	Nye	1.86
Elko	1.99	Ormsby	2.07
Esmeralda	1.86	Pershing	2.12
Eureka	1.99	Storey	2.13
Humboldt	2.06	Washoe	2.13
Lander	1.99	White Pine	1.68
Lincoln	1.98		

NEW JERSEY

Burlington	$2.40	Middlesex	$2.39
Camden	2.41	Monmouth	2.39
Cumberland	2.40	Salem	2.40
Gloucester	2.41	Somerset	2.39
Hunterdon	2.39	Warren	2.37
Mercer	2.40		

NEW MEXICO

Bernalillo	$2.09	McKinley	$1.96
Catron	2.00	Mora	2.07
Chaves	2.12	Quay	2.14
Colfax	2.07	Roosevelt	2.15
Curry	2.15	Sandoval	2.07
De Baca	2.12	San Juan	1.92
Eddy	2.11	San Miguel	2.08
Grant	1.96	Santa Fe	2.07
Guadalupe	2.05	Sierra	2.04
Harding	2.05	Socorro	2.08
Hidalgo	1.56	Torrance	2.09
Lea	2.13	Union	2.10
Luna	1.96	Valencia	2.02

NEW YORK

Albany	$2.45	Oneida	$2.40
Allegany	2.39	Onondaga	2.40
Broome	2.39	Ontario	2.39
Cattaraugus	2.37	Orange	2.36
Cayuga	2.40	Orleans	2.39
Chautauqua	2.32	Oswego	2.40
Chemung	2.40	Otsego	2.39
Chenango	2.40	Putnam	2.37
Clinton	2.32	Rensselaer	2.42
Columbia	2.41	Rockland	2.36
Cortland	2.40	Saratoga	2.41
Delaware	2.35	Schenectady	2.46
Dutchess	2.39	Schoharie	2.41
Erie	2.37	Schuyler	2.38
Essex	2.34	Seneca	2.40
Franklin	2.30	Steuben	2.40
Fulton	2.40	Suffolk	2.32
Genesee	2.40	Sullivan	2.24
Greene	2.41	Tioga	2.40
Herkimer	2.41	Tompkins	2.40
Jefferson	2.36	Ulster	2.38
Lewis	2.36	Warren	2.37
Livingston	2.40	Washington	2.40
Madison	2.40	Wayne	2.40
Monroe	2.40	Westchester	2.36
Montgomery	2.44	Wyoming	2.39
Nassau	2.34	Yates	2.39
Niagara	2.39		

NORTH CAROLINA

	Rate per bushel
All counties	$2.36

NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	$2.14	McKenzie	$2.12
Barnes	2.22	McLean	2.17
Benson	2.19	Mercer	2.15
Billings	2.14	Morton	2.16
Bottineau	2.16	Mountrail	2.15
Bowman	2.14	Nelson	2.21
Burke	2.15	Oliver	2.17
Burleigh	2.19	Pembina	2.20
Cass	2.23	Pierce	2.18
Cavalier	2.19	Ramsey	2.20
Dickey	2.22	Ransom	2.23
Divide	2.13	Renville	2.15
Dunn	2.14	Richland	2.24
Eddy	2.20	Rolette	2.18
Emmons	2.18	Sargent	2.23
Foster	2.21	Sheridan	2.19
Golden Valley	2.12	Sioux	2.16
Grand Forks	2.22	Slope	2.14
Grant	2.15	Stark	2.15
Griggs	2.22	Steele	2.22
Hettinger	2.15	Stutsman	2.21
Kidder	2.20	Towner	2.19
La Moure	2.21	Traill	2.23
Logan	2.20	Walsh	2.21
McHenry	2.18	Ward	2.16
McIntosh	2.19	Wells	2.20
		Williams	2.14

OHIO

Adams	$2.28	Licking	$2.29
Allen	2.28	Logan	2.28
Ashland	2.30	Lorain	2.30
Ashtabula	2.32	Lucas	2.29
Athens	2.29	Madison	2.28
Auglaize	2.28	Mahoning	2.32
Belmont	2.31	Marion	2.29
Brown	2.28	Medina	2.30
Butler	2.31	Meigs	2.28
Carroll	2.30	Mercer	2.28
Champaign	2.23	Miami	2.28
Clark	2.28	Monroe	2.31
Clermont	2.28	Montgomery	2.29
Clinton	2.28	Morgan	2.30
Columbiana	2.31	Morrow	2.29
Coshocton	2.30	Muskingum	2.30
Crawford	2.29	Noble	2.30
Cuyahoga	2.30	Ottawa	2.29
Darke	2.28	Paulding	2.28
Defiance	2.28	Perry	2.29
Delaware	2.29	Pickaway	2.29
Erie	2.29	Pike	2.28
Fairfield	2.29	Portage	2.30
Fayette	2.28	Preble	2.29
Franklin	2.29	Putnam	2.23
Fulton	2.28	Richland	2.30
Gallia	2.28	Ross	2.28
Geauga	2.32	Sandusky	2.29
Greene	2.28	Scioto	2.28
Guernsey	2.30	Seneca	2.29
Hamilton	2.31	Shelby	2.28
Hancock	2.29	Stark	2.30
Hardin	2.29	Summit	2.30
Harrison	2.30	Trumbull	2.32
Henry	2.28	Tuscarawas	2.30
Highland	2.28	Union	2.29
Hocking	2.29	Van Wert	2.28
Holmes	2.30	Vinton	2.29
Huron	2.29	Warren	2.30
Jackson	2.28	Washington	2.30
Jefferson	2.30	Wayne	2.30
Knox	2.30	Williams	2.28
Lake	2.31	Wood	2.29
Lawrence	2.28	Wyandot	2.29

OKLAHOMA

Adair	$2.19	Carter	$2.17
Alfalfa	2.19	Cherokee	2.20
Atoka	2.17	Choctaw	2.17
Beaver	2.13	Cimarran	2.10
Beckham	2.17	Cleveland	2.17
Blaine	2.16	Coal	2.17
Bryan	2.17	Comanche	2.17
Caddo	2.17	Cotton	2.17
Canadian	2.17	Craig	2.24

OKLAHOMA—Continued

County	Rate per bushel	County	Rate per bushel
Creek	$2.19	Mayes	$2.22
Custer	2.17	Murray	2.17
Delaware	2.21	Muskogee	2.19
Dewey	2.16	Noble	2.19
Ellis	2.15	Nowata	2.24
Garfield	2.18	Okfuskee	2.17
Garvin	2.17	Oklahoma	2.17
Grady	2.17	Okmulgee	2.19
Grant	2.19	Osage	2.21
Greer	2.17	Ottawa	2.23
Harmon	2.17	Pawnee	2.19
Harper	2.14	Payne	2.17
Haskell	2.18	Pittsburg	2.17
Hughes	2.17	Pontotoc	2.17
Jackson	2.17	Pottawatomie	2.17
Jefferson	2.17	Pushmataha	2.17
Johnston	2.17	Roger Mills	2.16
Kay	2.20	Rogers	2.22
Kingfisher	2.17	Seminole	2.17
Kiowa	2.17	Sequoyah	2.19
Latimer	2.17	Stephens	2.17
Le Flore	2.17	Texas	2.13
Lincoln	2.17	Tillman	2.17
Logan	2.17	Tulsa	2.22
Love	2.17	Wagoner	2.21
McClain	2.17	Washington	2.23
McCurtain	2.17	Washita	2.17
McIntosh	2.18	Woods	2.18
Major	2.16	Woodward	2.15
Marshall	2.17		

OREGON

Baker	$2.08	Lake	$2.07
Benton	2.23	Lane	2.21
Clackamas	2.26	Linn	2.22
Clatsop	2.22	Malheur	2.03
Columbia	2.24	Marion	2.25
Crook	2.17	Morrow	2.22
Deschutes	2.17	Multnomah	2.27
Douglas	2.16	Polk	2.24
Gilliam	2.23	Sherman	2.24
Grant	2.21	Umatilla	2.16
Harney	1.98	Union	2.09
Hood River	2.24	Wallowa	2.08
Jackson	2.11	Wasco	2.24
Jefferson	2.19	Washington	2.27
Josephine	2.12	Yamhill	2.26
Klamath	2.11		

PENNSYLVANIA

Adams	$2.39	Lackawanna	$2.36
Allegheny	2.31	Lancaster	2.41
Armstrong	2.33	Lawrence	2.32
Beaver	2.32	Lebanon	2.41
Bedford	2.36	Lehigh	2.40
Berks	2.41	Luzerne	2.35
Blair	2.36	Lycoming	2.36
Bradford	2.36	McKean	2.33
Bucks	2.42	Mercer	2.30
Butler	2.33	Mifflin	2.36
Cambria	2.33	Monroe	2.37
Cameron	2.35	Montgomery	2.43
Carbon	2.36	Montour	2.36
Centre	2.35	Northampton	2.41
Chester	2.43	Northumberland	2.36
Clarion	2.33	Perry	2.36
Clearfield	2.35	Pike	2.33
Clinton	2.36	Potter	2.34
Columbia	2.36	Schuylkill	2.39
Crawford	2.34	Snyder	2.36
Cumberland	2.39	Somerset	2.32
Dauphin	2.37	Sullivan	2.35
Delaware	2.43	Susquehanna	2.35
Elk	2.34	Tioga	2.32
Erie	2.35	Union	2.36
Fayette	2.31	Venango	2.34
Forest	2.34	Warren	2.34
Franklin	2.36	Washington	2.31
Fulton	2.36	Wayne	2.34
Greene	2.27	Westmoreland	2.31
Huntingdon	2.36	Wyoming	2.36
Indiana	2.32	York	2.41
Jefferson	2.35		
Juniata	2.36		

SOUTH CAROLINA

	Rate per bushel
All counties	$2.36

South Dakota

County	Rate per bushel	County	Rate per bushel
Aurora	$2.25	Jackson	$2.17
Beadle	2.23	Jerauld	2.25
Bennett	2.17	Jones	2.19
Bon Homme	2.27	Kingsbury	2.24
Brookings	2.25	Lake	2.25
Brown	2.23	Lawrence	2.11
Brule	2.24	Lincoln	2.28
Buffalo	2.24	Lyman	2.21
Butte	2.11	McCook	2.27
Campbell	2.19	McPherson	2.20
Charles Mix	2.25	Marshall	2.23
Clark	2.24	Meade	2.13
Clay	2.29	Mellette	2.19
Codington	2.25	Miner	2.26
Corson	2.17	Minnehaha	2.27
Custer	2.12	Moody	2.26
Davison	2.26	Pennington	2.15
Day	2.24	Perkins	2.14
Deuel	2.25	Potter	2.19
Dewey	2.16	Roberts	2.24
Douglas	2.26	Sanborn	2.25
Edmunds	2.22	Shannon	2.16
Fall River	2.13	Spink	2.23
Faulk	2.22	Stanley	2.18
Grant	2.25	Sully	2.19
Gregory	2.22	Todd	2.19
Haakon	2.15	Tripp	2.20
Hamlin	2.25	Turner	2.28
Hand	2.22	Union	2.30
Hanson	2.26	Walworth	2.19
Harding	2.14	Washabaugh	2.17
Hughes	2.20	Yankton	2.28
Hutchinson	2.26	Ziebach	2.14
Hyde	2.20		

Tennessee

Anderson	$2.34	Lauderdale	$2.25
Bedford	2.31	Lawrence	2.30
Benton	2.28	Lewis	2.30
Bledsoe	2.32	Lincoln	2.32
Blount	2.35	Loudon	2.34
Bradley	2.34	McMinn	2.34
Campbell	2.34	McNairy	2.27
Cannon	2.30	Macon	2.29
Carroll	2.27	Madison	2.26
Carter	2.37	Marion	2.32
Cheatham	2.29	Marshall	2.31
Chester	2.27	Maury	2.30
Claiborne	2.36	Meigs	2.33
Clay	2.30	Monroe	2.35
Cocke	2.35	Montgomery	2.28
Coffee	2.31	Moore	2.31
Crockett	2.26	Morgan	2.33
Cumberland	2.32	Obion	2.26
Davidson	2.29	Overton	2.31
Decatur	2.28	Perry	2.29
De Kalb	2.30	Pickett	2.31
Dickson	2.29	Polk	2.35
Dyer	2.25	Putnam	2.31
Fayette	2.25	Rhea	2.33
Fentress	2.32	Roane	2.33
Franklin	2.32	Robertson	2.28
Gibson	2.27	Rutherford	2.30
Giles	2.31	Scott	2.33
Grainger	2.35	Sequatchie	2.32
Greene	2.36	Sevier	2.35
Grundy	2.31	Shelby	2.25
Hamblen	2.36	Smith	2.30
Hamilton	2.33	Stewart	2.28
Hancock	2.37	Sullivan	2.38
Hardeman	2.26	Sumner	2.28
Hardin	2.28	Tipton	2.25
Hawkins	2.38	Trousdale	2.29
Haywood	2.26	Unicoi	2.36
Henderson	2.28	Union	2.35
Henry	2.27	Van Buren	2.31
Hickman	2.29	Warren	2.31
Houston	2.28	Washington	2.37
Humphreys	2.28	Wayne	2.29
Jackson	2.30	Weakley	2.27
Jefferson	2.35	White	2.31
Johnson	2.37	Williamson	2.30
Knox	2.35	Wilson	2.29
Lake	2.26		

Texas

Archer	$2.17	Bailey	$2.16
Armstrong	2.17	Bandera	2.18

Texas—Continued

County	Rate per bushel	County	Rate per bushel
Bastrop	$2.27	Kaufman	$2.24
Baylor	2.17	Kendall	2.19
Bell	2.27	Kent	2.17
Bexar	2.24	Kerr	2.17
Blanco	2.24	Kimble	2.22
Borden	2.17	King	2.17
Bosque	2.25	Knox	2.17
Bowie	2.19	Lamar	2.19
Briscoe	2.17	Lamb	2.17
Brown	2.23	Lampasas	2.23
Burleson	2.29	Limestone	2.27
Burnet	2.23	Lipscomb	2.14
Caldwell	2.27	Llano	2.23
Callahan	2.18	Loving	2.12
Carson	2.16	Lubbock	2.17
Castro	2.17	Lynn	2.17
Childress	2.17	McCulloch	2.23
Clay	2.17	McLennan	2.27
Cochran	2.17	Martin	2.16
Coke	2.17	Mason	2.23
Coleman	2.21	Maverick	2.14
Collin	2.23	Medina	2.20
Collingsworth	2.17	Menard	2.21
Comanche	2.19	Midland	2.15
Concho	2.20	Milam	2.28
Cooke	2.19	Mills	2.23
Coryell	2.24	Mitchell	2.17
Cottle	2.17	Montague	2.20
Crosby	2.17	Moore	2.14
Culberson	2.07	Motley	2.17
Dallam	2.12	Navarro	2.26
Dallas	2.23	Nolan	2.17
Dawson	2.17	Ochiltree	2.14
Deaf Smith	2.16	Oldham	2.16
Delta	2.21	Palo Pinto	2.19
Denton	2.23	Parker	2.23
DeWitt	2.26	Parmer	2.16
Dickens	2.17	Pecos	2.09
Donley	2.17	Potter	2.16
Eastland	2.17	Presidio	2.07
Ellis	2.25	Randall	2.17
Erath	2.20	Real	2.16
Falls	2.27	Reeves	2.11
Fannin	2.19	Roberts	2.15
Fisher	2.17	Robertson	2.27
Floyd	2.17	Rockwall	2.23
Foard	2.17	Runnels	2.19
Gaines	2.17	San Saba	2.23
Galveston	2.39	Schleicher	2.14
Garza	2.17	Scurry	2.17
Gillespie	2.18	Shackelford	2.17
Glasscock	2.17	Sherman	2.12
Gray	2.16	Somervell	2.23
Grayson	2.21	Stephens	2.17
Hale	2.17	Sterling	2.17
Hall	2.17	Stonewall	2.17
Hamilton	2.21	Swisher	2.17
Hansford	2.14	Tarrant	2.24
Hardeman	2.17	Taylor	2.18
Harris	2.38	Terry	2.17
Hartley	2.14	Throckmorton	2.17
Haskell	2.17	Tom Green	2.18
Hemphill	2.15	Travis	2.27
Hill	2.26	Uvalde	2.16
Hockley	2.17	Van Zandt	2.23
Hood	2.24	Waller	2.37
Howard	2.17	Ward	2.12
Hudspeth	2.07	Wheeler	2.16
Hunt	2.23	Wichita	2.17
Hutchinson	2.15	Wilbarger	2.17
Irion	2.15	Williamson	2.27
Jack	2.19	Wise	2.23
Jackson	2.29	Yoakum	2.17
Jeff Davis	2.07	Young	2.18
Johnson	2.25	Zavala	2.15
Jones	2.17		

Utah

Beaver	$2.02	Iron	$2.01
Box Elder	1.96	Juab	1.96
Cache	1.96	Kane	1.92
Carbon	1.99	Millard	1.98
Daggett	1.98	Morgan	1.99
Davis	1.99	Piute	1.92
Duchesne	1.99	Rich	1.98
Emery	1.99	Salt Lake	1.99
Garfield	1.92	San Juan	1.99
Grand	1.99	San Pete	1.96

Utah—Continued

County	Rate per bushel	County	Rate per bushel
Sevier	$1.92	Wasatch	$1.99
Summit	1.99	Washington	1.99
Tooele	1.96	Wayne	1.92
Uintah	1.99	Weber	1.99
Utah	1.99		

Virginia

Accomac	$2.38	Lancaster	$2.39
Albermarle	2.37	Lee	2.36
Alleghany	2.35	Loudoun	2.37
Amelia	2.38	Louisa	2.37
Amherst	2.37	Lunenburg	2.37
Appomattox	2.38	Madison	2.36
Augusta	2.37	Mathews	2.39
Bath	2.35	Mecklenburg	2.37
Bedford	2.37	Middlesex	2.39
Bland	2.36	Montgomery	2.36
Botetourt	2.36	Nansemond	2.36
Brunswick	2.36	Nelson	2.37
Buchanan	2.33	New Kent	2.39
Buckingham	2.38	Norfolk	2.36
Campbell	2.38	Northhampton	2.39
Caroline	2.39	Northumberland	2.39
Carroll	2.36	Nottoway	2.38
Charles City	2.39	Orange	2.37
Charlotte	2.37	Page	2.36
Chesterfield	2.37	Patrick	2.36
Clarke	2.36	Pittsylvania	2.37
Craig	2.35	Powhatan	2.38
Culpeper	2.36	Prince Edward	2.38
Cumberland	2.38	Prince George	2.37
Dickenson	2.34	Prince William	2.37
Dinwiddie	2.37	Princess Anne	2.36
Elizabeth City	2.39	Pulaski	2.37
Essex	2.39	Rappahannock	2.36
Fairfax	2.37	Richmond	2.39
Fauquier	2.37	Roanoke	2.36
Floyd	2.36	Rockbridge	2.36
Fluvanna	2.37	Rockingham	2.36
Franklin	2.37	Russell	2.36
Frederick	2.36	Scott	2.38
Giles	2.35	Shenandoah	2.36
Gloucester	2.39	Smyth	2.37
Goochland	2.38	Southampton	2.36
Grayson	2.36	Spotsylvania	2.38
Greene	2.36	Stafford	2.39
Greensville	2.36	Surry	2.36
Halifax	2.37	Sussex	2.36
Hanover	2.39	Tazewell	2.34
Henrico	2.38	Warren	2.36
Henry	2.36	Warwick	2.39
Highland	2.35	Washington	2.38
Isle of Wight	2.36	Westmoreland	2.39
James City	2.39	Wise	2.34
King and Queen	2.39	Wythe	2.37
King George	2.39	York	2.39
King William	2.39		

Washington

Adams	$2.12	Klickitat	$2.24
Asotin	2.12	Lewis	2.22
Benton	2.17	Lincoln	2.11
Chelan	2.15	Okanogan	2.11
Clark	2.27	Pend Oreille	2.08
Columbia	2.15	Pierce	2.25
Cowlitz	2.25	San Juan	2.19
Douglas	2.10	Skagit	2.24
Ferry	2.07	Snohomish	2.24
Franklin	2.14	Spokane	2.10
Garfield	2.15	Stevens	2.09
Grant	2.12	Walla Walla	2.16
King	2.25	Whitman	2.11
Kittitas	2.18	Yakima	2.17

West Virginia

Barbour	$2.32	Grant	$2.33
Berkeley	2.32	Greenbrier	2.36
Boone	2.32	Hampshire	2.35
Braxton	2.33	Hancock	2.32
Brooke	2.32	Hardy	2.34
Cabell	2.30	Harrison	2.31
Calhoun	2.32	Jackson	2.31
Clay	2.33	Jefferson	2.36
Doddridge	2.31	Kanawha	2.32
Fayette	2.34	Lewis	2.32
Gilmer	2.32	Lincoln	2.31

WEST VIRGINIA—Continued

County	Rate per bushel	County	Rate per bushel
Marion	$2.30	Raleigh	$2.34
Marshall	2.31	Randolph	2.34
Mason	2.31	Ritchie	2.31
Mercer	2.35	Roane	2.32
Mineral	2.34	Summers	2.35
Monongalia	2.29	Taylor	2.32
Monroe	2.36	Tucker	2.33
Morgan	2.36	Tyler	2.30
Nicholas	2.34	Upshur	2.33
Ohio	2.31	Wayne	2.29
Pendleton	2.35	Webster	2.34
Pleasants	2.30	Wetzel	2.31
Pocahontas	2.35	Wirt	2.31
Preston	2.31	Wood	2.30
Putnam	2.31		

WISCONSIN

Adams	$2.27	Marathon	$2.25
Ashland	2.26	Marinette	2.24
Barron	2.28	Marquette	2.27
Bayfield	2.27	Milwaukee	2.33
Brown	2.27	Monroe	2.26
Buffalo	2.28	Oconto	2.26
Burnett	2.29	Oneida	2.23
Calumet	2.28	Outagamie	2.27
Chippewa	2.27	Ozaukee	2.30
Clark	2.25	Pepin	2.28
Columbia	2.28	Pierce	2.30
Crawford	2.26	Polk	2.30
Dane	2.30	Portage	2.26
Dodge	2.29	Price	2.25
Door	2.24	Racine	2.35
Douglas	2.31	Richland	2.27
Dunn	2.28	Rock	2.30
Eau Claire	2.28	Rusk	2.27
Florence	2.23	Saint Croix	2.31
Fond du Lac	2.29	Sauk	2.28
Forest	2.24	Sawyer	2.28
Grant	2.27	Shawano	2.26
Green	2.29	Sheboygan	2.29
Greenlake	2.28	Taylor	2.25
Iowa	2.27	Trempealeau	2.26
Iron	2.24	Vernon	2.26
Jackson	2.26	Vilas	2.21
Jefferson	2.30	Walworth	2.31
Juneau	2.27	Washburn	2.28
Kenosha	2.34	Washington	2.30
Kewaunee	2.26	Waukesha	2.30
LaCrosse	2.25	Waupaca	2.27
LaFayette	2.28	Waushara	2.27
Langlade	2.25	Winnebago	2.28
Lincoln	2.24	Wood	2.26
Manitowoc	2.28		

WYOMING

Albany	$2.01	Natrona	$2.02
Big Horn	1.96	Niobrara	2.09
Campbell	2.06	Park	1.96
Carbon	1.98	Platte	2.10
Converse	2.06	Sheridan	2.04
Crook	2.09	Sublette	1.98
Fremont	1.96	Sweetwater	1.98
Goshen	2.13	Teton	1.96
Hot Springs	1.96	Uinta	1.98
Johnson	2.04	Washakie	1.96
Laramie	2.13	Weston	2.09
Lincoln	1.97		

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 17th day of July, 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-8471; Filed, July 20, 1951; 8:55 a. m.]

[1951 C. C. C. Grain Price Support Bulletin 1, Amdt. 1]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS 1951 CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration, published in 16 F. R. 1967, and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951, are amended as follows:

1. Section 601.651 *Administration,* is amended to expressly prohibit deviation from any of the bulletin provisions by representatives of CCC in the field offices in the administration of price support programs, so that the section reads as follows:

§ 601.651 *Administration.* The program will be administered by PMA, under the general direction and supervision of the President, CCC, and in the field, will be carried out by PMA State and PMA County Committees (hereinafter called State and county committees) and PMA commodity offices. Producers interested in participating in the program should contact their county committee through which the price support documents will be distributed. All documents will be completed and approved by the county committee which will retain copies of all such documents. The State committee may authorize the county committees to designate certain employees of the county committee to approve documents in behalf of the county committee. The names of the employees delegated to approve documents in behalf of the county committee shall be submitted to the State committee. State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this bulletin or any amendments or supplements hereto.

2. Section 601.665 *Loss or damage to the commodity,* is amended to emphasize the fact that CCC will not assume losses occurring prior to the disbursement of the loan funds and to provide that where payment is made by sight draft or check, the date of the draft or check shall constitute a disbursement of funds, so that the section reads as follows:

§ 601.665 *Loss or damage to the commodity.* The producer is responsible for any loss in quantity or quality of the commodity placed under farm-storage or identity-preserved warehouse-storage loan, except that, subject to the provisions of § 601.664, physical loss or damage occurring after disbursement of the loan funds to the producer without fault, negligence, or conversion on the part of the producer or any other person having control of the storage structure, resulting solely from an external cause other than insect infestation or vermin, will be assumed by CCC to the extent of the settlement rate, provided the producer has given the county committee immediate notice of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight draft or check the date of the draft or check shall constitute the date of disbursement of the funds. This section shall apply to winter cover crop and hay and pasture seeds, except that the producer's responsibility for quality is qualified by the conditions set forth in the respective supplements for these commodities. None of this section shall apply to dry edible beans; the provisions for this commodity are covered in the supplement.

3. Under § 601.668 *Liquidation of loans and delivery under purchase agreements,* paragraph (a) *Loans,* is amended to provide the methods of settlement for deliveries under identity-preserved warehouse-storage loans where the commodities are stored at the point of production and where the commodities are not stored at the point of production, so that the paragraph reads as follows:

§ 601.668 *Liquidation of loans and delivery under purchase agreements*—(a) *Loans.* In the case of farm-storage loans and identity-preserved warehouse loans, the producer is required to pay off his loan on or before maturity or to deliver the commodity in accordance with instruction of the county committee. The producer may, however, pay off his loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. In the event the farm is sold or there is a change of tenancy, the commodity under a farm-storage loan may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon prior approval of the President of CCC. Settlement will be made at the applicable support rate, subject to the provisions of the mortgage supplement and the applicable commodity supplement to this subpart, according to grade and/or quality. In the case of commodities stored in bulk, settlement will be made for the total quantity delivered, provided it was stored in the bin(s) in which the commodity under loan was stored. In the case of commodities stored in bags, settlement will be made for the total quantity delivered in all the bags delivered provided they were included in the lot placed under loan. The support rates for each commodity will be set forth in the applicable commodity supplement to this subpart.

If the settlement value of the commodity delivered under a farm-storage loan, or an identity-preserved warehouse-storage loan, exceeds the amount due on the loan (excluding interest) by more than $3.00, such amount will be paid to the producer on the basis of the

settlement documents. To avoid administrative costs of making small payments, if the amount found due the producer in such settlement is $3.00 or less, such amount will be paid only upon his request. Deliveries of commodities to CCC under farm-storage loans, or under identity-preserved warehouse-storage loans where such commodities are stored in the county where the commodity was produced or in counties adjacent to the county where the commodity was produced, will be handled by the PMA county committee who initially approved the loan. Any payments due producers will be made by sight draft drawn on CCC by the PMA State office.

If the settlement value of the commodity is less than the amount due on the loan (excluding interest), the amount of the deficiency, plus interest, shall be paid to CCC or may be set off against any payment which would otherwise be due to the producer under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. To avoid administrative costs of handling small accounts a deficiency of $3.00 or less including interest, may be disregarded unless demand therefor is made by CCC upon the producer.

In the case of warehouse-storage loans, if the producer does not repay his loan by maturity, CCC shall have the right to process and to sell or pool the commodity in satisfaction of the loan in accordance with the provisions of the note and loan agreement and § 601.669. Any payment due a producer at the time of settlement on a warehouse-storage loan, except for identity-preserved warehouse-storage loans where the commodities are supervised and handled by the PMA county committee, will be made by the appropriate PMA commodity office.

Payments due producers at the time of settlement on identity-preserved warehouse-storage loans where the commodities are not supervised and handled by the PMA county committee, will also be made by the appropriate PMA commodity office.

* * * * *

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051; 15 U. S. C. Sup. 714c, 7 U. S. C. Supp. 1441, 1447, 1421)

Issued this 17th day of July 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-8430; Filed, July 20, 1951; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS [1]

SUBPART A—REGULATIONS GOVERNING INSPECTION AND CERTIFICATION

On June 30, 1951, a notice of proposed rule making was published in the FEDERAL REGISTER (16 F. R. 6392) regarding the adoption of proposed regulations in lieu of existing Regulations and Requirements for Plants Operating under Continuous Inspection on a Contract Basis (7 CFR Part 52 §§ 52.1 through 52.57 and §§ 52.81 through 52.88). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised Regulations governing the inspection and certification of Processed Fruits and Vegetables, Processed Products thereof and Certain other Processed Food Products are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and Public Law 70, 82d Congress, approved July 1, 1951.

The Department finds that it is unnecessary and contrary to the public interest to give a 30-day notice of the effective date of the regulations for reasons that: (1) The industry has been properly apprised of the revisions through rule making; (2) no additional preparation on the part of the industry is required; and (3) because of increased costs of the services rendered, any delay in effective time would result in an increased deficit in proportion to the time of delay; therefore, the regulations herewith published shall be effective at 12:01 a. m., e. d. s. t., July 23, 1951.

Sec.

[1] Among such other processed food products are the following: Honey; molasses, except for stock feed; nuts and nut products, except oil; sugar (cane, beet, and maple); sirups (blended), sirups, except from grain; marine food products, except oil.

Sec.
52.87 Personnel; health.
52.88 Effective time supersedure.

AUTHORITY: §§ 52.1 to 52.88 issued under sec. 205, 60 Stat. 1090, Pub. Law 70, 82d Cong.

§ 52.1 *Administration of regulations.* The Administrator, Production and Marketing Administration, United States Department of Agriculture, is charged with the Administration of the regulations in this part except that he may delegate any or all of such functions to any officer or employee of the Production and Marketing Administration of the Department, in his discretion.

DEFINITIONS

§ 52.2 *Meaning of words.* Words in the regulations in this part in the singular form shall be deemed to import the plural and vice versa, as the case may demand.

§ 52.3 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall have the following meanings:

(a) "Act" means the following provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and of the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759; 81st Cong., approved September 6, 1950, as continued in effect by Public Law 70; 82d Congress, approved July 1, 1951), or any future act of Congress conferring similar authority:

AGRICULTURAL MARKETING ACT OF 1946

* * * To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. * * *

DEPARTMENT OF AGRICULTURE APPROPRIATION ACT, 1951

Market inspection of farm products. For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the services rendered. * * *

Marketing farm products. For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world * * *

(b) "Administrator" means the Administrator of the Production and Marketing Administration of the Department.

(c) "Applicant" means any interested party who requests inspection service under the regulations in this part.

(d) "Case" means the number of containers (cased or uncased) which, by the particular industry are ordinarily packed in a shipping container.

(e) "Certificate of loading" means a statement, either written or printed, issued pursuant to the regulations in this part, relative to checkloading of a processed product subsequent to inspection thereof.

(f) "Certificate of sampling" means a statement, either written or printed, issued pursuant to the regulations in this part, identifying officially drawn samples and may include a description of condition of containers and the condition under which the processed product is stored.

(g) "Class" means a grade or rank of quality.

(h) "Condition" means the degree of soundness of the product which may affect its merchantability and includes, but is not limited to those factors which are subject to change as a result of age, improper preparation and processing, improper packaging, improper storage or improper handling.

(i) "Department" means the United States Department of Agriculture.

(j) "Inspection certificate" means a statement, either written or printed, issued pursuant to the regulations in this part, setting forth in addition to appropriate descriptive information relative to a processed product, and the container thereof, the quality and condition, or any part thereof, of the product and may include a description of the conditions under which the product is stored.

(k) "Inspection service" means:

(1) The sampling pursuant to the regulations in this part;

(2) The determination pursuant to the regulations in this part of:

(i) Essential characteristics such as style, type, size, sirup density or identity of any processed product which differentiates between major groups of the same kind;

(ii) The class, quality and condition of any processed product, including the condition of the container thereof by the examination of appropriate samples;

(3) The issuance of any certificate of sampling, inspection certificates, or certificates of loading of a processed product, or any report relative to any of the foregoing; or

(4) Performance by an inspector of any related services such as assigning an inspector in a processing plant to observe the preparation of the product from its raw state through each step in the entire process, or observe conditions under which the product is being prepared, processed, and packed, or observe plant sanitation as a prerequisite to the inspection of the processed product, either on a continuous or periodic basis, or checkload the inspected processed product in connection with the marketing of the processed product.

(l) "Inspector" means any employee of the Department authorized by the Secretary or any other person licensed by the Secretary to investigate, sample, inspect, and certify in accordance with the regulations in this part to any interested party the class, quality and condition of processed products covered in this part and to perform related duties in connection with the inspection service.

(m) "Interested party" means any person who has a financial interest in the commodity involved.

(n) "Licensed sampler" means any person who is authorized by the Secretary to draw samples of processed products for inspection service, to inspect for condition of containers in a lot, and may, when authorized by the Administrator, perform related services under the act and the regulations in this part.

(o) "Lot" for the purpose of the regulations in this part means any number of containers of the same size and type containing a processed product of the same type or style offered for inspection by an interested party, except containers bearing an identification mark different from other containers and containing a lower grade quality than the containers bearing the other marks, may be considered as a separate lot.

(p) "Officially drawn sample" means any sample that has been selected from a particular lot by an inspector, licensed sampler, or by any other person authorized by the Administrator pursuant to the regulations in this part.

(q) "Person" means any individual, partnership, association, business trust, corporation, any organized group of persons (whether incorporated or not), the United States (including, but not limited to, any corporate agencies thereof), any State, county, or municipal government, any common carrier, and any authorized agent of any of the foregoing.

(r) "Plant" means the premises, buildings, structures, and equipment (including, but not being limited to, machines, utensils, and fixtures) employed or used with respect to the manufacture or production of processed products.

(s) "Processed product" means any fruit, vegetable, or other food product covered under these regulations which has been preserved by any recognized commercial process, including, but not limited to, canning, freezing, dehydrating, drying, the addition of chemical substances, or by fermentation.

(t) "Quality" means the inherent properties of any processed product which determine the relative degree of excellence of such product, and includes the effects of preparation and processing, and may or may not include the effects of packing media, or added ingredients.

(u) "Sample" means a single container, a single portion of a container, any number of containers, or a composite mixture of a single type, style or size of

a single commodity, packed in a single size of container, or other unit, as may be designated by the Administrator, to be used for inspection.

(v) "Shipping container" means an individual container designed for shipping a number of packages or cans ordinarily packed in a container for shipping or designed for packing unpackaged processed products for shipping.

(w) "Sampling" means the act of selecting samples of processed products for the purpose of inspection under the regulations in this part.

(x) "Secretary" means the Secretary of the Department or any other officer or employee of the Department authorized to exercise the powers and to perform the duties of the Secretary in respect to the matters covered by the regulations in this part.

(y) "Unofficially drawn sample" means any sample that has been selected by any person other than an inspector or licensed sampler, or by any other person not authorized by the Administrator pursuant to the regulations in this part.

INSPECTION SERVICE

§ 52.4 *Where inspection service is offered.* Inspection service may be furnished wherever any inspector or licensed sampler is available and the facilities and conditions are satisfactory for the conduct of such service.

§ 52.5 *Who may obtain inspection service.* An application for inspection service may be made by any interested party, including, but not limited, to, the United States and any instrumentality or agency thereof, any State, county, municipality, or common carrier, and any authorized agent in behalf of the foregoing.

§ 52.6 *How to make application.* An application for inspection service may be made to the office of inspection or to any inspector, at or nearest the place where the service is desired; and an up-to-date list of the Standardization and Inspection Field Offices of the Department may be obtained upon request to the Administrator. Satisfactory proof that the applicant is an interested party, and satisfactory proof of the authority of any person applying for inspection service, shall be furnished.

§ 52.7 *Information required in connection with application.* Application for inspection service shall be made in the English language and may be made orally (in person or by telephone), in writing, or by telegraph. If an application for inspection service is made orally, such application shall be confirmed promptly in writing. In connection with each application for inspection service, there shall be furnished such information as may be necessary to perform an inspection on the processed product for which application for inspection is made, including but not limited to, the name of the product, name and address of the packer or plant where such product was packed, the location of the product, its lot or car number, codes or other identification marks, the number of containers, the type and size of the containers, the interest of the applicant in the product, whether the lot has been inspected previously to the application by any Federal agency and the purpose for which inspection is desired.

§ 52.8 *Filing of application.* An application for inspection service shall be regarded as filed only when made in accordance with the regulations in this part.

§ 52.9 *Record of filing time.* A record showing the date and hour when each application for inspection or for an appeal inspection is received shall be maintained.

§ 52.10 *When application may be rejected.* An application for inspection service may be rejected by the Administrator (a) for non-compliance by the applicant with the regulations in this part, (b) for non-payment for previous inspection services rendered, (c) when the product is not properly identifiable by code or other marks, or (d) when it appears that to perform the inspection service would not be to the best interests of the Government. Such applicant shall be promptly notified of the reason for such rejection.

§ 52.11 *When application may be withdrawn.* An application for inspection service may be withdrawn by the applicant at any time before the inspection is performed: *Provided*, That, the applicant shall pay at the hourly rate prescribed in § 52.48 for the time incurred by the inspector in connection with such application, any travel expenses, telephone, telegraph or other expenses which have been incurred by the inspection service in connection with such application.

§ 52.12 *Disposition of inspected sample.* Any sample of a processed product that has been used for inspection may be returned to the applicant, at his request and expense; otherwise it shall be destroyed, or disposed of to a charitable institution.

§ 52.13 *Basis of inspection.* Inspection service shall be performed on the basis of the appropriate U. S. Standards for grades of processed products, Federal, Quartermaster Corps, Military or Veterans Administration specifications, written buyer and seller contract specifications or any written specification supplied by an applicant which is approved by the Administrator.

§ 52.14 *Order of inspection service.* Inspection service shall be performed, insofar as practicable, in the order in which applications therefor are made except that precedence may be given to any such applications which are made by the United States (including, but not being limited to, any instrumentality or agency thereof) and to any application for an appeal inspection.

§ 52.15 *Postponing inspection service.* If the inspector determines that it is not possible to accurately ascertain the quality or condition of a processed product immediately after processing because the product has not reached equilibrium in color, sirup density, or drained weight, or for any other substantial reason, he may postpone inspection service for such period as may be necessary.

§ 52.16 *Financial interest of inspector.* No inspector shall inspect any processed product in which he is directly or indirectly financially interested.

§ 52.17 *Forms of certificates.* Inspection certificates, certificates of sampling or loading, and other memoranda concerning inspection service shall be issued on forms approved by the Administrator.

§ 52.18 *Issuance of certificates.* (a) An inspection certificate may be issued only by an inspector: *Provided*, That, another employee of the inspection service may sign any such certificate covering any processed product inspected by an inspector when given power of attorney by such inspector and authorized by the Administrator, to affix the inspector's signature to an inspection certificate which has been prepared in accordance with the facts set forth in the notes, made by the inspector, in connection with the inspection.

(b) A certificate of loading shall be issued and signed by the inspector or licensed sampler authorized to check the loading of a specific lot of processed products: *Provided*, That, another employee of the inspection service may sign such certificate of loading covering any processed product checkloaded by an inspector or licensed sampler when given power of attorney by such inspector or licensed sampler and authorized by the Administrator to affix the inspector's or licensed sampler's signature to a certificate of loading which has been prepared in accordance with the facts set forth in the notes made by the inspector or licensed sampler in connection with the checkloading of a specific lot of processed products.

§ 52.19 *Issuance of corrected certificates.* A corrected inspection certificate may be issued by the inspector who issued the original certificate after distribution of a certificate if errors, such as incorrect dates, code marks, grade statements, lot or car numbers, container sizes, net or drained weights, quantities, or errors in any other pertinent information require the issuance of a corrected certificate. Whenever a corrected certificate is issued, such certificate shall supersede the inspection certificate which was issued in error and the superseded certificate shall become null and void after the issuance of the corrected certificate.

§ 52.20 *Issuance of an inspection report in lieu of an inspection certificate.* A letter report in lieu of an inspection certificate may be issued by an inspector when such action appears to be more suitable than an inspection certificate: *Provided*, That, the issuance of such report is approved by the Administrator.

§ 52.21 *Disposition of inspection certificates.* The original of any inspection certificate, issued under the regulations in this part, and not to exceed four copies thereof, if requested prior to issuance, shall be delivered or mailed promptly to the applicant, or person designated by the applicant. All other copies shall be

filed in such manner as the Administrator may designate. Additional copies of any such certificates may be supplied to any interested party as provided in § 52.50.

§ 52.22 *Report of inspection results prior to issuance of formal report.* Upon request of any interested party, the results of an inspection may be telegraphed or telephoned to him, or to any other person designated by him, at his expense.

APPEAL INSPECTION

§ 52.23 *When appeal inspection may be requested.* An application for an appeal inspection may be made by any interested party who is dissatisfied with the results of an inspection as stated in an inspection certificate, if the lot of processed products can be positively identified by the inspection service as the lot from which officially drawn samples were previously inspected. Such application shall be made within thirty (30) days following the day on which the previous inspection was performed, except upon approval by the Administrator the time within which an application for appeal inspection may be made may be extended.

§ 52.24 *Where to file for an appeal inspection and information required.* (a) Application for an appeal inspection may be filed with:

(1) The inspector who issued the inspection certificate on which the appeal covering the processed product is requested; or

(2) The inspector in charge of the office of inspection at or nearest the place where the processed product is located.

(b) The application for appeal inspection shall state the location of the lot of processed products and the reasons for the appeal; and date and serial number of the certificate covering inspection of the processed product on which the appeal is requested, and such application may be accompanied by a copy of the previous inspection certificate and any other information that may facilitate inspection. Such application may be made orally (in person or by telephone), in writing, or by telegraph. If made orally, written confirmation shall be made promptly.

§ 52.25 *When an application for an appeal inspection may be withdrawn.* An application for appeal inspection may be withdrawn by the applicant at any time before the appeal inspection is performed: *Provided,* That, the applicant shall pay at the hourly rate prescribed in § 52.48 of this part, for the time incurred by the inspector in connection with such application, any travel expenses, telephone, telegraph, or other expenses which have been incurred by the inspection service in connection with such application.

§ 52.26 *When appeal inspection may be refused.* An application for an appeal inspection may be refused if:

(a) The reasons for the appeal inspection are frivolous or not substantial;

(b) The quality or condition of the processed product has undergone a material change since the inspection covering the processed product on which the appeal inspection is requested;

(c) The lot in question is not, or cannot be made accessible for the selection of officially drawn samples;

(d) The lot relative to which appeal inspection is requested cannot be positively identified by the inspector as the lot from which officially drawn samples were previously inspected; or

(e) There is noncompliance with the regulations in this part. Such applicant shall be notified promptly of the reason for such refusal.

§ 52.27 *Who shall perform appeal inspection.* An appeal inspection shall be performed by an inspector or inspectors (other than the one from whose inspection the appeal is requested) authorized for this purpose by the Administrator and, whenever practical, such appeal inspection shall be conducted jointly by two such inspectors: *Provided,* That, the inspector who made the inspection on which the appeal is requested may be authorized to draw the samples when another inspector or licensed sampler is not available in the area where the product is located.

§ 52.28 *Appeal inspection certificate.* After an appeal inspection has been completed, an appeal inspection certificate shall be issued showing the results of such appeal inspection; and such certificate shall supersede the inspection certificate previously issued for the processed product involved. Each appeal inspection certificate shall clearly identify the number and date of the inspection certificate which it supersedes. The superseded certificate shall become null and void upon the issuance of the appeal inspection certificate and shall no longer represent the quality or condition of the processed product described therein. The inspector or inspectors issuing an appeal inspection certificate shall forward notice of such issuance to such persons as he considers necessary to prevent misuse of the superseded certificate if the original and all copies of such superseded certificate have not previously been delivered to the inspector or inspectors issuing the appeal inspection certificate. The provisions in the regulations in this part concerning forms of certificates, issuance of certificates, and disposition of certificates shall apply to appeal inspection certificates, except that copies of such appeal inspection certificates shall be furnished all interested parties who received copies of the superseded certificate.

LICENSING OF SAMPLERS AND INSPECTORS

§ 52.29 *Who may become licensed sampler.* Any person possessing qualifications as determined by an examination for competency, given by the Administrator, may be licensed as a licensed sampler to draw samples for the purpose of inspection under the regulations in this part. Such a license shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. Licensed samplers shall have no authority to inspect processed products under the regulations in this part except as to condition of the containers in a lot. A licensed sampler shall perform his duties pursuant to the regulations in this part as directed by the Administrator.

§ 52.30 *Application to become a licensed sampler.* Application to become a licensed sampler shall be made to the Administrator on forms furnished for that purpose. Each such application shall be executed and signed by the applicant in his own handwriting, and the information contained therein shall be verified by him under oath or affirmation administered by a notary public, and the application shall contain or be accompanied by:

(a) Satisfactory evidence that he has passed his twenty-first birthday;

(b) A statement showing his present and previous occupations, together with names of all employers for whom he has worked with periods of service during the last ten years previous to the date of his application;

(c) A statement that, in his capacity as a licensed sampler, he will not draw samples from any lot of processed products with respect to which he or his employer is an interested party;

(d) A statement by the applicant that he agrees to comply with all terms and conditions of the regulations in this part relating to duties of licensed samplers; and

(e) Such other information as may be required by the aforesaid Administrator.

§ 52.31 *Inspectors.* Inspections will ordinarily be performed by employees under the Administrator who are employed as Federal Government employees for that purpose. However, any person employed under any joint Federal-State inspection service arrangement may be licensed, if otherwise qualified, by the Secretary to make inspections in accordance with this part on such processed products as may be specified in his license. Such license shall be issued only in a case where the Administrator is satisfied that the particular person is qualified to perform adequately the inspection service for which such person is to be licensed. Each such license shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. An inspector shall perform his duties pursuant to the regulations in this part as directed by the Administrator.

§ 52.32 *Suspension or revocation of license of licensed sampler or licensed inspector.* Pending final action by the Secretary, the Administrator may, whenever he deems such action necessary, suspend the license of any licensed sampler, or licensed inspector, issued pursuant to the regulations in this part, by giving notice of such suspension to the respective licensee, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such licensee, he may file an appeal, in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license should not be suspended or revoked. After the expiration of the afore-

said seven days period and consideration of such argument and evidence, the Secretary shall take such action as he deems appropriate with respect to such suspension or revocation.

§ 52.33 *Surrender of license.* Upon termination of his services as a licensed sampler or licensed inspector, or suspension or revocation of his license, such licensee shall surrender his license immediately to the office of inspection serving the area in which he is located. These same provisions shall apply in a case of an expired license.

SAMPLING

§ 52.34 *How samples are drawn by inspectors or licensed samplers.* An inspector or a licensed sampler shall select samples, upon request, from designated lots of processed products which are so placed as to permit thorough and proper sampling in accordance with the regulations in this part. Such person shall, unless otherwise directed by the Administrator, select samples of such products at random, and from various locations in each lot in such manner and number, not inconsistent with the regulations in this part, as to secure representative samples of the lot. Samples drawn for inspection shall be furnished by the applicant at no cost to the Department.

§ 52.35 *Accessibility for sampling.* Each applicant shall cause the processed products for which inspection is requested to be made accessible for proper sampling. Failure to make any lot accessible for proper sampling shall be sufficient cause for postponing inspection service until such time as such lot is made accessible for proper sampling.

§ 52.36 *How officially drawn samples are to be identified.* Officially drawn samples shall be marked by the inspector or licensed sampler so such samples can be properly identified for inspection.

§ 52.37 *How samples are to be shipped.* Unless otherwise directed by the Administrator, samples which are to be shipped to any office of inspection shall be forwarded to the office of inspection serving the area in which the processed products from which the samples were drawn is located. Such samples shall be shipped in a manner to avoid, if possible, any material change in the quality or condition of the sample of the processed product. All transportation charges in connection with such shipments of samples shall be at the expense of the applicant and wherever practicable, such charges shall be prepaid by him.

§ 52.38 *Sampling rates for officially drawn samples.* Unless otherwise directed by the Administrator, each inspector and each licensed sampler shall select from each lot not less than the number of samples indicated in the following applicable tables except as may be required otherwise by the provisions in § 52.34.

TABLE I—CANNED FRUITS AND VEGETABLES AND CANNED FRUIT AND VEGETABLE PRODUCTS, INCLUDING TOMATO PRODUCTS, AND SUCH PRODUCTS AS PEANUT BUTTER, PICKLES, RELISHES, MARMALADES, HONEY, MAPLE SIRUP, FRUIT PULPS AND JAMS, EXCEPT SINGLE-STRENGTH AND CONCENTRATED CITRUS JUICES AND GRAPE JUICES AND FRUIT JELLIES AND VINEGAR

Size and type of container	Rate of sampling [1]		
	From lots containing 1 to 2,000 cases	From lots containing 2,001 to 5,000	From lots exceeding 5,000 cases
Any type of container of less volume than a No. 300 size can (300 x 407).	1 container for each 4,000 containers or fraction thereof.	1 container for each 4,800 containers or fraction thereof.	1 container for each 6,000 containers or fraction thereof.
Any type of container of a volume equal to that of a No. 300 size can (300 x 407) or greater but not exceeding that of a No. 3 cylinder size can (404 x 700).	1 container for each 2,000 containers or fraction thereof.	1 container for each 2,400 containers or fraction thereof.	1 container for each 3,000 containers or fraction thereof.
Any type of container of a volume exceeding that of a No. 3 cylinder size can (404 x 700) but not exceeding that of a No. 12 size can (603 x 812).	1 container for each 1,000 containers or fraction thereof.	1 container for each 1,200 containers or fraction thereof.	1 container for each 1,500 containers or fraction thereof.
	From lots containing 200 containers or less	From lots containing 201 to 500 containers	From lots exceeding 500 containers
Any type of container of a volume exceeding that of a No. 12 size can (603 x 812) but not containing more than 60 pounds of the product.	1 approximate 8-ounce sample from each 4 percent of the containers.	1 approximate 8-ounce sample from each of 3 percent of the containers.	1 approximate 8-ounce sample from each 2 percent of the containers.
	From lots containing 100 containers or less	From lots containing 101 to 200 containers	From lots exceeding 200 containers
Any type of container containing more than 60 pounds of the product.	1 approximate 32-ounce sample from each 10 percent of the containers.	1 approximate 32-ounce sample from each 7 percent of the containers.	1 approximate 32-ounce sample from each 5 percent of the containers.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than 2 samples be drawn from any 1 lot.

TABLE II—CANNED AND FROZEN, SINGLE-STRENGTH CITRUS JUICES AND GRAPE JUICES; AND FRUIT JELLIES AND VINEGAR

Size and type of container	Rate of sampling [1]		
	From lots containing 1 to 2,000 cases	From lots containing 2,001 to 5,000	From lots exceeding 5,000 cases
Any type of container of a total volume of 11 fluid ounces or less.	1 container for each 4,800 containers or fraction thereof.	1 container for each 6,000 containers or fraction thereof.	1 container for each 8,000 containers or fraction thereof.
Any type of container of a total volume of more than 11 fluid ounces but not more than 52 fluid ounces.	1 container for each 2,400 containers or fraction thereof.	1 container for each 3,000 containers or fraction thereof.	1 container for each 4,000 containers or fraction thereof.
Any type of container of a total volume of more than 52 fluid ounces.	1 container for each 1,200 containers or fraction thereof.	1 container for each 1,500 containers or fraction thereof.	1 container for each 2,000 containers or fraction thereof.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than 2 samples be drawn from any 1 lot.

TABLE III—FROZEN FRUITS AND VEGETABLES AND FROZEN FRUIT AND VEGETABLE PRODUCTS, EXCEPT FROZEN SINGLE-STRENGTH AND CONCENTRATED CITRUS JUICES AND GRAPE JUICES

Size and type of container	Rate of sampling [1]
Any type of container of 1 pound or less net weight.	1 container for each 2,400 containers or fraction thereof.
Any type of container over 1 pound but less than 4 pounds, net weight.	1 container for each 1,600 containers or fraction thereof.
Any type of container of 4 pounds or more, but less than 10 pounds, net weight.	1 container for each 1,200 containers or fraction thereof.
Frozen vegetables only: Any type of container of 10 pounds or more, net weight.	One 2-pound sample (approximate weight) for each 3,000 pounds of the first 18,000 pounds, plus 1 additional 2-pound sample for each additional 5,000 pounds, or fraction thereof in excess of 18,000 pounds.
Frozen fruits and berries only: Any type of container of 10 pounds or more net weight.	One 3-pound sample (approximate weight) for each 3,000 pounds of the first 18,000 pounds, plus 1 additional 3-pound sample for each additional 5,000 pounds or fraction thereof, in excess of 18,000 pounds. When determined by the inspector that 3-pound subsamples do not reflect the quality of the product in the container 1 or more entire containers may be substituted for any 1 or more sub-samples.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than 2 samples be drawn from any 1 lot.

TABLE IV—FROZEN AND CANNED CONCENTRATED CITRUS JUICES AND GRAPE JUICES

Size and type of container	Rate of sampling [1]		
	From lots containing 1 to 2,000 cases	From lots containing 2,001 to 5,000 cases	From lots exceeding 5,000 cases
Any type of container of a total volume of 11 fluid ounces or less.	1 container for each 6,000 containers or fraction thereof.	1 container for each 8,000 containers or fraction thereof.	1 container for each 12,000 containers or fraction thereof.
Any type of container of a total volume of more than 11 fluid ounces but not more than 52 fluid ounces.	1 container for each 3,000 containers or fraction thereof.	1 container for each 4,000 containers or fraction thereof.	1 container for each 6,000 containers or fraction thereof.
Any type of container of a volume of more than 52 fluid ounces.	1 container for each 1,500 containers or fraction thereof.	1 container for each 2,000 containers or fraction thereof.	1 container for each 3,000 containers or fraction thereof.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than 2 samples be drawn from any 1 lot.

TABLE V—DRIED FRUIT

Number of pounds in lot	Shipping container sizes		
	Less than 20 pounds net weight	20 pounds to and including 30 pounds net weight	Exceeding 30 pounds but not exceeding 50 pounds net weight
	Rate of sampling [1]		
	Approximately 8 ounce samples	Approximately 16 ounce samples	Approximately 16 ounce samples
500 pounds or less	[2]	[2]	[2] 4
501 to 2,000 pounds	8	4	4
2,001 to 4,000 pounds	9	5	4
4,001 to 6,000 pounds	10	6	5
		Approximately 8 ounce samples	
6,001 to 8,000 pounds	11	7	5
8,001 to 10,000 pounds	12	8	6
10,001 to 12,000 pounds	14	9	6
12,001 to 14,000 pounds	16	10	7
Over 14,000 pounds	Each additional 1,500 pounds or fraction thereof. 1 approximately 8 ounce sample.	Each additional 2,000 pounds or fraction thereof. 1 approximately 8 ounce sample.	Each additional 3,000 pounds or fraction thereof. 1 approximately 16 ounce sample.

[1] In no case, shall the total of all the samples drawn yield less than 25 ounces of dates; 100 figs or 200 fig slices; or 56 ounces of other dried fruit. The size of the sample from an individual container may be increased to establish the quality of the fruit in the container.

[2] When lot consists of 500 pounds or less, draw 4 approximately equal samples, except that when the lot consists of less than 4 shipping containers, a sample shall be drawn from each shipping container.

TABLE VI—DEHYDRATED FRUITS AND VEGETABLES

Size and type of container	Rate of sampling [1]
Any type of container of 5 pounds or less net weight	1 container for each 2,400 containers or fraction thereof.
Any type of container in excess of 5 pounds, net weight	One 20 ounce (approximate weight) sample for each 4,000 pounds or fraction thereof.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than 2 samples be drawn from any 1 lot.

TABLE VII—PROCESSED PRODUCTS NOT SPECIFICALLY LISTED IN ANY TABLE CONTAINED IN THIS SECTION

Size and type of container	Rate of sampling [1]
Any type of container irrespective of its size or volume capacity.	At a rate that will represent the lot as may be determined by the inspector.

[1] These are minimum rates and in no case where lots consist of more than 1 container shall less than two 2 samples be drawn from any 1 lot.

§ 52.39 *Issuance of certificate of sampling.* Each inspector and each licensed sampler shall prepare and sign a certificate of sampling to cover the samples drawn by the respective person, except that an inspector who inspects the samples which he has drawn need not prepare a certificate of sampling. One copy of each certificate of sampling prepared shall be retained by the inspector or licensed sampler (as the case may be) and the original and all other copies thereof shall be disposed of in accordance with the instructions of the Administrator.

§ 52.40 *Identification of lots sampled.* Each lot from which officially drawn samples are selected shall be marked in such manner as may be prescribed by the Administrator, if such lots do not otherwise possess suitable identification.

FEES AND CHARGES

§ 52.41 *Payment of fees and charges.* Fees and charges for any inspection service shall be paid by the interested party making the application for such service, in accordance with the applicable provisions of the regulations in this part, and, if so required by the person in charge of the office of inspection serving the area where the services are to be performed, and advance of funds prior to rendering inspection service in an amount suitable to the Administrator, or a surety bond suitable to the Administrator, may be required as a guarantee of payment for the services rendered. All fees and charges for any inspection service performed pursuant to the regulations in this part shall be paid by check, draft, or money order payable to the Treasurer of the United States and remitted to the office of inspection serving the area in which the services are performed, within ten (10) days from the date of billing, unless otherwise specified in a contract between the applicant and the Administrator, in which latter event the contract provisions shall apply.

§ 52.42 *Schedule of fees.* (a) Unless otherwise provided for in a written agreement between the applicant and the Administrator, the fees to be charged and collected for any inspection service performed under the regulations in this part at the request of the United States, or any agency or instrumentality thereof, shall be at the rate of $3.60 per hour.

(b) Unless otherwise provided in the regulations in this part, the fees to be charged and collected for any inspection service performed under the regulations in this part shall be based on the applicable rates specified in this section as follows: [1]

(1) *Canned fruits and vegetables and canned fruit and vegetable products and other canned processed products, such as peanut butter, pickles, relishes, jams, jellies, marmalades, honey, maple sirup and concentrates.*

OFFICIALLY DRAWN SAMPLES

Each lot when packed 6 or more cans per case but not exceeding 48 cans per case except canned pineapple and canned pineapple juice inspected in Puerto Rico: [1]

Minimum fee for 600 cases or less	$6.00
For each additional 200 cases, or fraction thereof, in excess of 600 cases	1.60

Each lot of canned pineapple and canned pineapple juice inspected in Puerto Rico:

The fee for each case of 24 containers or less	$0.015
The fee for each case of more than 24 containers	.020
Minimum fee for any lot	6.00

[1] Inspection of large quantities except canned pineapple and canned pineapple juice inspected in Puerto Rico: When application is made for inspection of 20,000 cases or more of a single commodity of canned fruits and vegetables and canned fruit and vegetable products in containers of any type of a volume capacity not exceeding that of a No. 12 size (603 x 812) the fee shall be at the rate of $1.40 for each 200 cases or fraction thereof: *Provided*, That, the commodity is available for inspection at any one place at any one time.

[1] The fees specified herein are exclusive of charges for such micro, chemical and certain other special analyses, other than salt, acid, catalase, peroxidase, soluble solids (by refrac.) or total solids (by refrac.), which may be requested by the applicant or required by the inspector to determine the quality or condition of the processed product.

UNOFFICIALLY DRAWN SAMPLES

Minimum fee	$3.60
For more than 4 containers of any type of a volume not in excess of that of a No. 3 size can (404 x 414), per container	.75
For more than 2 containers of any type of a volume exceeding that of a No. 3 size can (404 x 414), but not exceeding that of a No. 12 size can (603 x 812), per container	1.50

(2) *Frozen fruits and vegetables and frozen fruit and vegetable products.*

OFFICIALLY DRAWN SAMPLES

Each lot other than when inspected in Puerto Rico:

Minimum fee for 10,000 pounds or less	$6.00
For each additional 5,000 pounds, or fraction thereof, in excess of 10,000 pounds	2.00
Each lot inspected in Puerto Rico:	
Minimum fee for 10,000 pounds or less	7.20
For each additional 5,000 pounds, or fraction thereof, in excess of 10,000 pounds	2.40

UNOFFICIALLY DRAWN SAMPLES

Minimum fee	$3.60
For more than 2 samples of any type or weight, per sample	1.50

(3) *Dried fruits other than figs and dates.*

OFFICIALLY DRAWN SAMPLES

Each lot:	
Minimum fee for 12,000 pounds or less	$6.00
For each additional 2,000 pounds, or fraction thereof, in excess of 12,000 pounds	.50

UNOFFICIALLY DRAWN SAMPLES

Each sample	$3.60

(4) *Dried figs and dates.*

OFFICIALLY DRAWN SAMPLES

Each lot:	
Minimum fee for 8,000 pounds or less	$6.00
For each additional 2,000 pounds, or fraction thereof, in excess of 8,000 pounds	1.50

UNOFFICIALLY DRAWN SAMPLES

Each sample	$3.60

(5) *Other processed products.* The fee to be charged and collected for the inspection of any processed product not included in subparagraphs (1), (2), (3) and (4) of this paragraph shall be at the rate of $3.60 per hour for the time consumed by the inspector in making the inspection, including the time consumed in sampling by the inspector or licensed sampler: *Provided, however,* That fees for sampling time will not be assessed by the office of inspection when such fees have been assessed and collected directly from the applicant by a licensed sampler.

§ 52.43 *Fees to be charged and collected for sampling when performed by a licensed sampler.* Such sampling fees as are specifically prescribed by the Administrator in connection with the licensing of the particular sampler (which fees are to be prescribed in the light of the sampling work to be performed by such sampler and other pertinent factors) may be assessed and collected by such licensed sampler directly from the applicant: *Provided,* That, if such licensed sampler is an employee of a State, the appropriate authority of that State may make the collection, or they may be assessed and collected by the office of inspection serving the area where the services are performed.

§ 52.44 *Inspection fees when charges for sampling have been collected by a licensed sampler.* For each lot of processed products from which samples have been drawn by a licensed sampler and with respect to which the sampling fee has been collected by the licensed sampler, the fee to be charged for the inspection shall be 75 percent of the fee provided in this part applicable to the respective processed product: *Provided,* That, if the fee charged for the inspection service is based on the hourly rate of charge, the fee shall be at the rate of $3.60 per hour prescribed in this part.

§ 52.45 *Inspection fees when charges for sampling have not been collected by a licensed sampler.* For each lot of processed products from which samples have been drawn by a licensed sampler, and with respect to which the sampling fee has not been collected by the licensed sampler, the fee to be charged for the inspection shall be 75 percent of the fee as prescribed in this part, plus a reasonable charge to cover the cost of sampling as may be determined by the Administrator: *Provided,* That, if the fee charged is based on the hourly rate, the fee shall be at the rate of $3.60 per hour prescribed in this part, plus a reasonable charge to cover the cost of sampling, as determined by the Administrator.

§ 52.46 *Fee for appeal inspection.* The fee to be charged for an appeal inspection shall be at the rates prescribed in this part for other inspection services: *Provided,* That, if the result of any appeal inspection made for any applicant, other than the United States or any agency or instrumentality thereof, discloses that a material error was made in the inspection on which the appeal is made, no inspection fee shall be assessed.

§ 52.47 *Charges for micro, chemical and certain other special analyses.* (a) The following charges shall be made for micro, chemical and certain other special analyses which may be requested by the applicant or required by the inspector to determine the quality or condition of the processed product: [1]

Type of analysis	For first analysis	For each additional analysis
Micro, chemical, and certain other special analyses		
Mold count	$1.50	$1.50
Worm larvae and insect fragment count	3.00	3.00
Fly egg and maggot count	3.00	3.00
Alcohol insoluble solids	3.00	2.00
Alcohol	2.00	2.00
Ascorbic acid (vitamin C)	6.00	2.00
Ash	2.00	2.00
Ash, salt free	4.00	4.00
Ash, acid insoluble	4.00	4.00
Ash, water insoluble	4.00	4.00
Crude fiber	10.00	5.00
Ether extract (crude fat)	$5.00	$5.00
Fiber, green and wax bean	3.00	2.00
Iodine number	8.00	8.00
Moisture (air oven method)	2.00	2.00
Moisture (vacuum oven method)	2.00	2.00
Nitrogen	3.00	2.00
Non-volatile ether extract	6.00	6.00
Oil of lemon and orange extract (precipitation method)	3.00	3.00
Oil of lemon extract with oil base (distillation method)	4.00	4.00
Phosphorus pentoxide (P_2O_5)	8.00	8.00
Phosphorus pentoxide (P_2O_5) and aluminum trioxide (Al_2O_3)	15.00	15.00
Recoverable oil	2.00	2.00
Reducing sugars	6.00	6.00
Starch or carbohydrates (direct hydrolysis)	12.00	10.00
Carbohydrates (by difference)	12.00	10.00
Sulphur dioxide (direct titration)	3.00	1.00
Total solids (by drying)	3.00	2.00
Vanillin and coumarin	10.00	10.00
Volatile and non-volatile ether extract	8.00	8.00
Water extract	4.00	4.00
Water insoluble, inorganic residue examination for adulteration, and particle count	8.50	6.00

[1] When any of these analyses are made at the request of an appplicant and are not in connection with an inspection to determine the quality or condition of the product, the listed fees shall be increased by 20%.

(b) The following charges shall be made for analyses which are requested by an applicant and are not in connection with an inspection to determine the quality or condition of the product: [1]

Type of analysis	For first analysis	For each additional analysis
Catalase	$2.40	$1.20
Peroxidase	2.40	1.20
Titrations: citric, lactic, acetic, or fatty acids, sodium chloride	1.20	1.20
Soluble solids (by refrac.)	2.40	1.20
Total solids (by refrac.)	2.40	1.20

§ 52.48 *When charges are to be based on hourly rate not otherwise provided for in this part.* When inspection is for condition only or when inspection services or related services are rendered and formal certificates are not issued or when the services rendered are such that charges based upon the foregoing sections would be inadequate or inequitable, charges may be based on the time consumed by the inspector in performance of such inspection service at the rate of $3.60 per hour.

§ 52.49 *Fees for score sheets.* If the applicant for inspection service requests score sheets showing in detail the inspection of each container or sample inspected and listed thereon, such score sheets may be furnished by the inspector in charge of the office of inspection serving the area where the inspection was performed; and such applicant shall be charged at the rate of $1.00 for each twelve samples, or fraction thereof, inspected and listed on such score sheets.

§ 52.50. *Fees for additional copies of inspection certificates.* Additional copies of any inspection certificate other than those provided for in § 52.21, may be supplied to any interested party upon pay-

[1] When these analyses are made in connection with an inspection to determine the quality or condition of the product no fee shall be charged for the analyses.

ment of a fee of $1.50 for each set of five (5) or fewer copies.

§ 52.51 *Travel and other expenses.* Charges may be made to cover cost of travel and other expenses incurred by the inspection service in connection with the performance of any inspection service, including travel and other expenses incurred in connection with any appeal inspection.

§ 52.52 *Charges for inspection service on a contract basis.* Irrespective of fees and charges prescribed in foregoing sections, the Administrator may enter into contracts with applicants to perform continuous inspection services or other inspection services pursuant to the regulations in this part and other requirements as prescribed by the Administrator in such contract, and the charges for such inspection service provided in such contracts shall be on such basis as will reimburse the Production and Marketing Administration of the Department for the full cost of rendering such inspection service including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses as may be determined by the Administrator.

MISCELLANEOUS

§ 52.53 *Fraud or misrepresentation.* Any wilful misrepresentation or any deceptive or fraudulent practice found to be made or committed by any person in connection with:

(a) The making or filing of an application for any inspection service;

(b) The submission of samples for inspection;

(c) The use of any inspection report or any inspection certificate, or appeal inspection certificate issued under the regulations in this part;

(d) The use of the words "Packed under continuous inspection of the U. S. Department of Agriculture," any legend signifying that the product has been officially inspected, any statement of grade or words of similar import in the labeling or advertising of any processed product;

(e) The use of a facsimile form which simulates in whole or in part any official U. S. certificate for the purpose of purporting to evidence the U. S. grade of any processed product; or

(f) Any wilful violation of the regulations in this part or supplementary rules or instructions issued by the Administrator, may be deemed sufficient cause for debarring such person from any or all benefits of the act.

§ 52.54 *Political activity.* All inspectors and licensed samplers are forbidden, during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activities in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, are prohibited. This applies to all appointees or licensees, including, but not limited to, temporary and cooperative employees and employees on leave of absence with or without pay. Wilful violation of this section will constitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.

§ 52.55 *Interfering with an inspector or licensed sampler.* Any further benefits of the act may be denied any applicant or other interested party who either personally or through an agent or representative interferes with or obstructs, by intimidation, threats, assault, or in any other manner, an inspector or licensed sampler in the performance of his duties.

§ 52.56 *Compliance with other laws.* None of the requirements in the regulations in this part shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to the operation of food processing establishments and to processed food products.

§ 52.57 *Identification.* Each inspector and licensed sampler shall have in his possession at all times and present upon request, while on duty, the means of identification furnished by the Department to such person.

REQUIREMENTS FOR PLANTS OPERATING UNDER CONTINUOUS INSPECTION ON A CONTRACT BASIS [1]

§ 52.81 *Plant survey.* (a) Prior to the inauguration of continuous inspection service on a contract basis, the Administrator will make, or cause to be made, a survey and inspection of the plant where such service is to be performed to determine whether the plant and methods of operation are suitable and adequate for the performance of such services in accordance with:

(1) The regulations in this part, including, but not limited to, the requirements contained in §§ 52.81 through 52.87; and

(2) The terms and provisions of the contract pursuant to which the service is to be performed.

§ 52.82 *Premises.* The premises of the plant shall be free from conditions objectionable to food processing operations; and such conditions include, but are not limited to, the following:

(a) Strong offensive odors;

(b) Litter, waste, and refuse (e. g., garbage, viner refuse, and damaged containers) within the immediate vicinity of the plant buildings or structures;

(c) Excessively dusty roads, yards, or parking lots; and

(d) Poorly drained areas.

§ 52.83 *Buildings and structures.* The plant buildings and structures shall be properly constructed and maintained in a sanitary condition, including, but not being limited to, the following requirements:

(a) There shall be sufficient light (1) consistent with the use to which the particular portion of the building is devoted and (2) to permit efficient cleaning. Belts and tables on which picking, sorting, or trimming operations are carried on shall be provided with sufficient nonglaring light to insure adequacy of the respective operation.

(b) If practicable, there shall be sufficient ventilation in each room and compartment thereof to prevent excessive condensation of moisture and to insure sanitary and suitable processing and operating conditions. If such ventilation does not prevent excessive condensation, the Administrator may require that suitable facilities be provided to prevent the condensate from coming in contact with equipment used in processing operations and with any ingredient used in the manufacture or production of a processed product.

(c) There shall be an efficient waste disposal and plumbing system. All drains and gutters shall be properly installed with approved traps and vents, and shall be maintained in good repair and in proper working order.

(d) There shall be ample supply of both hot and cold water; and the water shall be of safe and sanitary quality with adequate facilities for its (1) distribution throughout the plant, and (2) protection against contamination and pollution.

(e) Roofs shall be weather-tight. The walls, ceilings, partitions, posts, doors, and other parts of all buildings and structures shall be of such materials, construction, and finish as to permit their efficient and thorough cleaning. The floors shall be constructed of tile, cement, or other equally impervious material, shall have good surface drainage, and shall be free from openings or rough surfaces which would interfere with maintaining the floors in a clean condition.

(f) Each room and each compartment in which any processed products are handled, processed, or stored (1) shall be so designed and constructed as to insure processing and operating conditions of a clean and orderly character; (2) shall be free from objectionable odors and vapors; and (3) shall be maintained in a clean and sanitary condition.

(g) Every practical precaution shall be taken to exclude dogs, cats, and vermin (including, but not being limited to, rodents and insects) from the rooms in which processed products are being prepared or handled and from any rooms in which ingredients (including, but not being limited to, salt, sugar, spices, flour, syrup, and raw fruits and vegetables) are handled or stored. Screens, or other devices, adequate to prevent the passage of insects shall, where practical, be provided for all outside doors and openings. The use of poisonous cleansing agents, insecticides, bactericides, or rodent poisons shall not be permitted except under such precautions and restrictions as will prevent any possibility of their contamination of the processed product.

§ 52.84 *Facilities.* Each plant shall be equipped with adequate sanitary facilities and accommodations, including, but not being limited to, the following:

(a) There shall be a sufficient number of adequately lighted toilet rooms, ample in size, and conveniently located. Such rooms shall not open directly into rooms or compartments in which processed products are being manufactured or pro-

[1] Compliance with the above requirements does not excuse failure to comply with all applicable sanitary rules and regulations of city, county, State, Federal, or other agencies having jurisdiction over such plants and operations.

duced, or handled. Toilet rooms shall be adequately screened and equipped with self-closing doors and shall have independent outside ventilation.

(b) Lavatory accommodations (including, but not being limited to, running water, single service towels, and soap) shall be placed at such locations in or near toilet rooms and in the manufacturing or processing rooms or compartments as may be necessary to assure the cleanliness of each person handling ingredients used in the manufacture or production of processed products.

(c) Containers intended for use as containers for processed products shall not be used for any other purpose.

(d) No product or material which creates an objectionable condition shall be processed, handled, or stored in any room, compartment, or place where any processed product is manufactured, processed, or handled.

(e) Suitable facilities for cleaning (e. g., brooms, brushes, mops, clean cloths, hose, nozzles, soaps, detergent, sprayers, and steam pressure hose and guns) shall be provided at convenient locations throughout the plant.

§ 52.85 *Equipment.* All equipment used for receiving, washing, segregating, picking, processing, packaging, or storing any processed products or any ingredients used in the manufacture or production thereof, shall be of such design, material, and construction as will:

(a) Enable the examination, segregation, preparation, packaging and other processing operations applicable to processed products, in an efficient, clean, and sanitary manner, and

(b) Permit easy access to all parts to insure thorough cleaning and effective bactericidal treatment. Insofar as is practicable, all such equipment shall be made of corrosion-resistant material that will not adversely affect the processed product by chemical action or physical contact. Such equipment shall be kept in good repair and sanitary condition.

§ 52.86 *Operations and operating procedures.* (a) All operations in the receiving, transporting, holding, segregating, preparing, processing, packaging and storing of processed products and ingredients, used as aforesaid, shall be strictly in accord with clean and sanitary methods and shall be conducted as rapidly as practicable and at temperatures that will not tend to cause (1) any material increase in bacterial or other micro-organic content, or (2) any deterioration or contamination of such processed products or ingredients thereof. Mechanical adjustments or practices which may cause contamination of foods by oil, dust, paint, scale, fumes, grinding materials, decomposed food, filth, chemicals, or other foreign materials shall not be conducted during any manufacturing or processing operation.

(b) All processed products and ingredients thereof shall be subjected to continuous inspection throughout each manufacturing or processing operation. All processed products which are not manufactured or prepared in accordance with the requirements contained in §§ 52.81 through 52.87 or are not fit for human food shall be removed and segregated prior to any further processing operation.

(c) All ingredients used in the manufacture or processing of any processed product shall be clean and fit for human food.

(d) The methods and procedures employed in the receiving, segregating, handling, transporting, and processing of ingredients in the plant shall be adequate to result in a satisfactory processed product. Such methods and procedures include, but are not limited to, the following requirement:

(1) Containers, utensils, pans, and buckets used for the storage or transporting of partially processed food ingredients shall not be nested unless rewashed before each use;

(2) Containers which are used for holding partially processed food ingredients shall not be stacked in such manner as to permit contamination of the partially processed food ingredients;

(3) Packages or containers for processed products shall be clean when being filled with such products; and all reasonable precautions shall be taken to avoid soiling or contaminating the surface of any package or container liner which is, or will be, in direct contact with such products. If, to assure a satisfactory finished product, changes in methods and procedures are required by the Administrator, such changes shall be effectuated as soon as practicable.

§ 52.87 *Personnel; health.* In addition to such other requirements as may be prescribed by the Administrator with respect to persons in any room or compartment where exposed ingredients are prepared, processed, or otherwise handled, the following shall be complied with:

(a) No person affected with any communicable disease (including, but not being limited to, tuberculosis) in a transmissible stage shall be permitted;

(b) Infections or cuts shall be covered with rubber gloves or other suitable covering;

(c) Clean, suitable clothing shall be worn;

(d) Hands shall be washed immediately prior to starting work and each resumption of work after each absence from the work station;

(e) Spitting, and the use of tobacco are prohibited; and

(f) All necessary precautions shall be taken to prevent the contamination of processed products and ingredients thereof with any foreign substance (including, but not being limited to, perspiration, hair, cosmetics, and medicaments).

§ 52.88 *Effective time and supersedure.* The revised regulations governing Inspection and Certification (which are the third issue) contained in this part will become effective at 12:01 a. m., e. d. s. t., July 23, 1951, and will thereupon supersede the regulations, issued on September 8, 1948 (14 F. R. 5300; as amended, 16 F. R. 7306 and 14 F. R. 3375).

(60 Stat. 1087; 7 U. S. C. 1621 et seq.; Pub. Law 70, 82d Cong., approved July 1, 1951)

Issued at Washington, D. C., this 18th day of July 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8472; Filed, July 20, 1951; 8:55 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Plum Order 22]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.419 *Plum Order 22*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta Peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 10, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 10, 1951; after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1951; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance

with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1951, and ending at 12:01 a. m., P. s. t., November 1, 1951, no shipper shall ship any package or container of Giant plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than 1 7/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 5/16 inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting, or causing to be submitted, promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 18th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8477; Filed, July 20, 1951; 8:57 a. m.]

[Plum Order 23]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.420 *Plum Order 23*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta Peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 10, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 10, 1951, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1951; and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1951, and ending at 12:01 a. m., P. s. t., November 1, 1951, no shipper shall ship from any shipping point during any day any package or container of Late Duarte plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack in a standard basket if said quantity does not exceed thirty-three and one-third (33⅓) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 11/16 inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 7/16 inches in diameter.

(5) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1 9/16 inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than 1 7/16 inches in diameter; and (iii) no plums contained in such pack measure less than 1 5/16 inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 18th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8474; Filed, July 20, 1951; 8:56 a. m.]

[Plum Order 24]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.421 *Plum Order 24*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta Peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than July 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 10, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 10, 1951, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 24, 1951, this section should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 24, 1951, and ending at 12:01 a. m., P. s. t., November 1, 1951, no shipper shall ship any package or container of Grand Duke plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this regulation, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1$^9/_{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than 1$^7/_{16}$ inches in diameter, and (iii) no plums contained in such pack measure less than 1$^5/_{16}$ inches in diameter.

(3) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting, or causing to be submitted, promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection; but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 18th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8473; Filed, July 20, 1951; 8:55 a. m.]

[Lemon Reg. 392]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.499 *Lemon Regulation 392*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be han-

dled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on July 18, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., July 22, 1951, and ending at 12:01 a. m., P. s. t., July 29, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 600 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 391 (16 F. R. 6795), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 19th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8526; Filed, July 20, 1951; 9:16 a. m.]

[Orange Regulation 381]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.527 *Orange Regulation 381*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on July 18, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., p. s. t., July 22, 1951, and ending at 12:01 a. m., p. s. t., July 29, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,100 carloads;

(*c*) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used herein, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. (p. d. s. t.) July 22, 1951, to 12:01 a. m. (p. d. s. t.) July 29, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.0757
A. F. G. Corona	.0410
A. F. G. Fullerton	1.0844
A. F. G. Orange	.4227
A. F. G. Riverside	.1239
A. F. G. San Juan Capistrano	.5590
A. F. G. Santa Paula	.4817

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Eadington Fruit Co., Inc	5.3509
Hazeltine Packing Co	.3457
Krinard Packing Co	.1982
Placentia Cooperative Orange Association	.5184
Placentia Pioneer Valencia Growers Association	.6607
Signal Fruit Association	.0952
Azusa Citrus Association	.4844
Covina Citrus Association	1.2277
Covina Orange Growers Association	.5658
Damerel-Allison Association	.6865
Glendora Citrus Association	.4107
Glendora Mutual Orange Association	.3665
Valencia Heights Orchard Association	.5038
Gold Buckle Association	.4315
La Verne Orange Association	.5306
Anaheim Valencia Orange Association	1.1384
Fullerton Mutual Orange Association	2.9719
La Habra Citrus Association	1.2592
Yorba Linda Citrus Association, The	1.1896
Escondido Orange Association	2.2233
Alta Loma Heights Citrus Association	.0571
Citrus Fruit Growers	.1358
Etiwanda Citrus Fruit Association	.0304
Old Baldy Citrus Association	.0607
Rialto Heights Orange Growers	.0535
Upland Citrus Association	.3660
Upland Heights Orange Association	.1201
Consolidated Orange Growers	2.0044
Frances Citrus Association	1.2391
Garden Grove Citrus Association	1.6801
Goldenwest Citrus Association	1.6424
Irvine Valencia Growers	3.6111
Olive Heights Citrus Association	2.1798
Santa Ana-Tustin Mutual Citrus Association	.8742
Santiago Orange Growers Association	4.6369
Tustin Hills Citrus Association	2.1015
Villa Park Orchards Association	1.9357
Bradford Bros., Inc	.8718
Placentia Mutual Orange Association	4.3416
Placentia Orange Growers Association	3.0892
Yorba Orange Growers Association	1.2785
Call Ranch	.0661
Corona Citrus Association	.3402
Jameson Co	.1244
Orange Heights Orange Association	.5607
Crafton Orange Growers Association	.2518
East Highlands Citrus Association	.0574
Redlands Heights Groves	.1876
Redlands Orangedale Association	.1564
Rialto-Fontana Citrus Association	.0973
Break & Son, Allen	.0438
Bryn Mawr Fruit Growers Association	.1001
Mission Citrus Association	.1399
Redlands Cooperative Fruit Association	.2481
Redlands Orange Growers Association	.1418
Redlands Select Groves	.2125
Rialto Orange Co	.1895
Southern Citrus Association	.1129
United Citrus Growers	.2091
Zilen Citrus Co	.0358
Arlington Heights Citrus Co	.1099
Brown Estate, L. V. W	.1245
Gavilan Citrus Association	.1358
Highgrove Fruit Association	.0571
McDermont Fruit Co	0.1172
Monte Vista Citrus Association	.1706
National Orange Co	.0473
Riverside Citrus Association	.0226
Riverside Heights Orange Growers Association, The	.0311
Sierra Vista Packing Association	.0399
Victoria Avenue Citrus Association	.1504
Claremont Citrus Association	.1095
College Heights Orange & Lemon Association	.2439
Indian Hill Citrus Association	.2124
Pomona Fruit Growers Exchange	.3044
Walnut Fruit Growers Association	.5130
West Ontario Citrus Association	.1755
El Cajon Valley Citrus Association	.1925
Escondido Cooperative Citrus Association	.2770
San Dimas Orange Growers Association	.3115
Canoga Citrus Association	.8137
N. Whittier Heights Citrus Association	.8478
San Fernando Heights Orange Association	.7355
Sierra Madre-Lamanda Citrus Association	.3174
Camarillo Citrus Association	1.3051
Fillmore Citrus Association	2.9296
Mupu Citrus Association	1.8422
Ojai Orange Association	.6356
Piru Citrus Association	2.0286
Rancho Sespe	.7448
Santa Paula Orange Association	1.0062
Tapo Citrus Association	.7284
Ventura County Citrus Association	.3931
Limoneira Co	.3859
East Whittier Citrus Association	.3366
Murphy Ranch Co	.7700
Anaheim Cooperative Orange Association	2.4949
Bryn Mawr Mutual Orange Association	.1352
Chula Vista Mutual Lemon Association	.0639
Euclid Avenue Orange Association	.5049
Foothill Citrus Union, Inc	.1177
Fullerton Cooperative Orange Association	.3975
Garden Grove Orange Cooperative, Inc	1.3336
Golden Orange Groves, Inc	.1728
Highland Mutual Groves, Inc	.0087
Index Mutual Association	.3984
La Verne Cooperative Citrus Association	1.6429
Olive Hillside Groves, Inc	.6778
Orange Cooperative Citrus Association	2.1081
Redlands Foothill Groves	.3925
Redlands Mutual Orange Association	.1475
Ventura County Orange & Lemon Association	1.1593
Whittier Mutual Orange & Lemon Association	.1473
Babijuice Corp. of California	.8448
Banks, L. M	.6832
Becker, Samuel Eugene	.0090
Bennett Fruit Co	.1035
Borden Fruit Co	.5049
Cappos Bros. Produce	.0070
Cherokee Citrus Co., Inc	.1040
Chess Co., Meyer W	.4139
Dozier, Paul M	.0121
Dunning Ranch	.0470
Evans Bros. Packing Co	.6273
Gold Banner Association	.1667
Granada Hills Packing Co	.0317
Granada Packing House	.7395
Hill Packing Co., Fred A	.0602
Knapp Packing Co., John C	.5751
L. Bar S Ranch	0.1050
Lawson, William J	.0065
Lima & Sons, Joe	.0876
Oakley, C. B	.0008
Orange Belt Fruit Distributors	1.2662
Orange Hill Groves	.0087
Otte, Arnold	.0599
Panno Fruit Co., Carlo	.3027
Paramount Citrus Association	.7079
Patitucci, Frank L	.0088
Placentia Orchard Co	.5880
Prescott, John A	.0183
Redlands Fruit Association, Inc	.0143
Ronald, P. W	.0202
San Antonio Orchard Co	.2237
Stephens, T. F	.2153
Summit Citrus Packers	.0166
Treesweet Products Co	.2124
Wall, E. T., Grower-Shipper	.1287
Western Fruit Growers, Inc	.4462

[F. R. Doc. 51-8540; Filed, July 20, 1951; 11:45 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter D—Nationality Regulations

PART 379—CERTIFICATES OF CITIZENSHIP UNDER SECTION 339 OF THE NATIONALITY ACT OF 1940, AS AMENDED

EXAMINING OFFICER'S REPORT

JUNE 18, 1951.

Paragraph (a) of § 379.7 *Record; recommendation; review; issuance of certificate,* is amended to read as follows:

§ 379.7 *Record; recommendation; review; issuance of certificate.* (a) Upon completion of the examination, the examining officer shall prepare a report of his findings on Form N-635 as to each of the essential facts to be established in the proceedings, together with his recommendation and any comment he deems necessary. If any issue of law or fact is raised by the evidence, the examining officer shall summarize the evidence and prepare a report thereon to accompany Form N-635. If the original documents were returned to the applicant at the conclusion of the examination, the examiner shall place a notation on Form N-635 showing that the copies were compared with such original documents and were found satisfactory and that the original documents were returned to the applicant. If denial of the application is recommended, a statement shall be made of the supporting grounds and reason therefor. If the recommendation to grant the application is based principally on documentary evidence, that fact shall be stated; if not, a brief statement of the facts and circumstances in evidence considered sufficient to justify action recommended shall be made. The recommendation of the examining officer shall then be forwarded to the district director.

* * * * *

(Secs. 37, 327, 54 Stat. 675, 1150; 8 U. S. C. 458, 727)

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

Approved: July 17, 1951.

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 51-8431; Filed, July 20, 1951; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs. Amdt. 43-7]

PART 43—GENERAL OPERATION RULES

FLIGHT AREA LIMITATIONS FOR STUDENT PILOTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 17th day of July, 1951.

In promulgating on May 3, 1951, Amendment 43-6 relating to requirements for private pilot ratings, it was the Board's intention that a student pilot be permitted, if otherwise qualified, to fly an aircraft outside a local flying area after obtaining a total of 15 hours of flight time, or after an approved air agency deems him competent. As published, Amendment 43-6 requires 15 solo flight hours, instead of a total of 15 hours of flight time, and, therefore, contains an unnecessary restriction which was not intended. For this reason this amendment sets forth the proper standard which permits a student, if otherwise qualified, after obtaining a total of 15 hours of flight time, including his solo flight time, to fly outside his local flying area.

For the reasons stated above, further notice and public procedure hereon are unnecessary; and since this regulation imposes no burden on anyone, the Board finds that good cause exists for making this amendment effective without the usual 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 43 (14 CFR Part 43, as amended) effective August 1, 1951:

By amending § 43.54 to read as follows:

§ 43.54 *Flight area limitations.* A student pilot shall not pilot an aircraft outside a local flying area designated by his flight instructor until:

(a) He has had a total of 15 hours of flight time, or, if enrolled in and receiving flying instruction from an approved air agency, he is deemed competent by such agency, and

(b) He has received at least 3 hours of dual cross-country instruction from a flight instructor, and his student pilot certificate has been appropriately endorsed by such instructor.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-8478; Filed, July 20, 1951; 8:57 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 51]

PART 600—DESIGNATION OF CIVIL AIRWAYS

CIVIL AIRWAY ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.12 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* is amended after "Syracuse, N. Y., radio range station;" by deleting "Utica, N. Y., radio range station;"

2. Section 600.107 *Amber civil airway No. 7 (Key West, Fla., to U. S.-Canadian Border)* is amended after "Augusta, Me., radio range station;" to read: "Millinocket, Me., radio range station; Presque Isle, Me., radio range station via a direct line between the Presque Isle, Maine, radio range station and the Mont Joli, Quebec, Canada, radio range station to the U. S.-Canadian Border."

3. Section 600.108 *Amber civil airway No. 8 (Los Angeles, Calif., to The Dalles, Oreg.)* is amended after "Santa Barbara, Calif., VHF radio range station;" by changing the portion which reads: "the intersection of the northwest course of the Santa Barbara, Calif., VHF radio range and the southeast course of the Paso Robles, Calif., VHF radio range;" to read: "the intersection of a line bearing 302° True from the Santa Barbara, Calif., VHF radio range station and the southeast course of the Paso Robles, VHF radio range;"

4. Section 600.222 *Red civil airway No. 22* is amended by changing caption to read: *"Red civil airway No. 22 (Mount Clemens, Mich., to Albany, N. Y.)."* and by adding the following portion to present civil airway: "From the Syracuse, N. Y., radio range station via the Utica, N. Y., radio range station to the intersection of the southeast course of the Utica, N. Y., radio range and the west course of the Albany, N. Y., radio range."

5. Section 600.226 is amended to read:

§ 600.226 *Red civil airway No. 26 (Syracuse, N. Y., to Allentown, Pa.).* From the Syracuse, N. Y., radio range station via the intersection of the south course of the Syracuse, N. Y., radio range and the north course of the Wilkes-Barre, Pa., radio range; Wilkes-Barre, Pa., radio range station to the intersection of the southeast course of the Wilkes-Barre, Pa., radio range and the west course of the Allentown, Pa., radio range.

6. Section 600.229 *Red civil airway No. 29 (Rochester, N. Y., to Baltimore, Md.)* is amended by changing the portion which reads: "From the intersection of the southeast course of the Elmira, N. Y., radio range and the north course of the Williamsport, Pa., radio range via the Williamsport, Pa., radio range station." to read: "From the intersection of the southwest course of the Elmira, N. Y., radio range and the north course of the Williamsport, Pa., radio range via the Williamsport, Pa., radio range station;"

7. Section 600.234 *Red civil airway No. 34 (Charleston, W. Va., to Elizabeth City, N. C.)* is amended by changing the first sentence to read: "From the Charleston, W. Va., radio range station via the Pulaski, Va., radio range station to the Greensboro, N. C., radio range station."

8. Section 600.237 *Red civil airway No. 37 (Dallas, Tex., to Gordonsville, Va.)* is amended by changing the last portion to read: "From the intersection of the northeast course of the Huntington, W. Va., radio range and the west course of the Charleston, W. Va., VHF radio range to the Charleston, W. Va., VHF radio range station. From the Charleston, W. Va., radio range station via the Roanoke, Va., radio range station; Lynchburg, Va., radio range station; to the Gordonsville, Va., radio range station."

9. Section 600.255 is amended to read:

§ 600.255 *Red civil airway No. 55 (Burlington, Iowa to Columbus, Ohio).* From the Burlington, Iowa, radio range station via the Peoria, Ill., radio range station; the intersection of the east course of the Peoria, Ill., radio range and the southwest course of the Joliet, Ill., radio range to the Chicago Heights, Ill., omnirange station. From the intersection of the Naperville, Ill., omnirange 69° True en route radial and the South Bend, Ind., omnirange 287° True en route radial to the South Bend, Ind., omnirange station. From the South Bend, Ind., radio range station via the Goshen, Ind., radio range station; the Findlay, Ohio, non-directional radio beacon to the Columbus, Ohio, radio range station.

10. Section 600.262 is amended by changing the caption to read: *"Red civil airway No. 62 (Detroit, Mich., to Altoona, Pa.)* and by deleting the first sentence which reads: "From the Lansing, Mich., radio range station to the intersection of the southeast course of the Lansing, Mich., radio range and the west course of the Detroit, Mich., radio range."

11. Section 600.281 is amended to read:

§ 600.281 *Red civil airway No. 81 (Lansing, Mich., to Elkins, W. Va.).* From the Lansing, Mich., radio range station via the intersection of the southeast course of the Lansing, Mich., radio range and the west course of the Detroit, Mich., radio range to the Toledo, Ohio, omnirange station. From the Columbus, Ohio, radio range station via the Parkersburg, W. Va., VHF radio range station to the intersection of the southeast course of the Parkersburg, W. Va., VHF radio range and the west course of the Elkins, W. Va., radio range.

12. Section 600.300 is amended to read:

§ 600.300 *Red civil airway No. 100 (Chicago, Ill., to Toledo, Ohio).* From the Chicago Heights, Ill., omnirange station via the Fort Wayne, Ind., omnirange

station to the Toledo, Ohio, omnirange station.

13. Section 600.304 is amended to read:

§ 600.304 *Red civil airway No. 104 (Erie, Pa., to Elmira, N. Y.).* From the Erie, Pa., radio range station via the Bradford, Pa., non-directional radio beacon to the Elmira, N. Y., omnirange station.

14. Section 600.641 *Blue civil airway No. 41 (New York, N. Y., to United States-Canadian Border)* is amended by deleting the last portion which reads: "excluding that portion lying more than 3 miles southeast of the northeast course of the Bangor, Maine, radio range between the radio range station and a point 25 miles northeast of the Bangor, Maine, radio range station."

15. Section 600.650 is amended to read:

§ 600.650 *Blue civil airway No. 50 (Augusta, Maine, to the U. S.-Canadian Border).* From the Augusta, Maine, radio range station to the Bangor, Maine, radio range station. From the intersection of the southeast course of the Bangor, Maine, radio range and the southwest course of the Pennfield Ridge, New Brunswick, Canada, radio range to the intersection of the southwest course of the Pennfield Ridge, New Brunswick, Canada, radio range and the U. S.-Canadian Border.

16. Section 600.684 is added to read:

§ 600.684 *Blue civil airway No. 84 (Bangor, Maine to Millinocket, Maine).* From the Bangor, Maine, radio range station to the Millinocket, Maine, radio range station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. July 31, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-8445; Filed, July 20, 1951; 8:54 a. m.]

[Amdt. 55]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.13. *Green civil airway No. 3 control areas (San Francisco, Calif., to New York, N. Y.)* is amended by deleting the following portion from the present control areas: "From the Chicago Heights, Ill., omnirange station to the intersection of the Chicago Heights omnirange 333° True en route radial and the Chicago-Midway ILS localizer course;"

2. Section 601.105 *Amber civil airway No. 5 control areas (Grand Isle, La., to Milwaukee, Wis.)* is amended by correcting the Chicago Heights to Milwaukee omnirange direct en route radial from 342° to 340° True.

3. Section 601.212 *Red civil airway No. 12 control areas (Kansas City, Mo., to Williamsport, Pa.)* is amended by deleting the portion which reads as follows: "and from the Naperville, Ill., omnirange station to the South Bend, Ind., omnirange station via the intersection of the Naperville omnirange 69° True and the South Bend Omnirange 287° True en route radials."

4. Section 601.214 *Red civil airway No. 14 control areas (Lone Rock, Wis., to Huntington, W. Va.)* is amended by deleting the portion which reads: "From the Chicago Heights, Ill., omnirange station to the Lafayette, Ind., omnirange station via the direct en route and 15° northeast and southwest altitude change radials;" and by substituting the following in lieu thereof: "From the intersection of the Chicago Heights omnirange 333° True en route radial and the Chicago-Midway ILS localizer course to the Chicago Heights omnirange station via the Chicago Heights omnirange 333° True en route radial; from the Chicago Heights, Ill., omnirange station to the Lafayette, Ind., omnirange station via the direct en route and 15° northeast and southwest altitude change radials;"

5. Section 601.222 is amended by changing caption to read: *"Red civil airway No. 22 control areas (Mount Clemens, Mich., to Albany, N. Y.)."*

6. Section 601.223 *Red civil airway No. 23 control areas (U. S.-Canadian Border to New York, N. Y.)* is amended by changing the first portion to read: "All of Red Civil airway No. 23 within the United States including all that area within 5 miles either side of the en route radials from the Buffalo, N. Y., omnirange station."

7. Section 601.227 *Red civil airway No. 27 control areas (Atlanta, Ga., to Detroit, Mich.)* is amended by deleting the last portion of present control areas which reads: "and from the Toledo, Ohio, omnirange station via the Toledo-Lansing direct en route radial to its point of intersection with the west course of the Detroit, Mich., radio range, including, all that area bounded on the southwest by the Toledo-Lansing direct en route radial, on the north by the Detroit-Litchfield direct en route radial and on the southeast by the Detroit-Fort Wayne direct en route radial."

8. Section 601.228 is amended to read:

§ 601.228 *Red civil airway No. 28 control areas (Rockford, Ill., to Detroit, Mich.).* All of Red civil airway No. 28 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Janesville, Wis., omnirange station to the intersection of the Janesville omnirange 112° True en route radial and the Chicago Heights omnirange 340° True en route radial, including all that area bounded on the south by Red civil airway No. 28, on the northwest by Red civil airway No. 57 and on the northeast by the Janesville omnirange 112° True en route radial. From the Naperville omnirange station to the intersection of the Naperville omnirange 69° True and the South Bend, Ind., omnirange 287° True en route radials via the Naperville omnirange 69° True en route radial. From the Lansing, Mich., omnirange station to the Detroit, Mich., omnirange station via the direct en route and 15° north altitude change radials.

9. Section 601.229 *Red civil airway No. 29 control areas (Rochester, N. Y., to Baltimore, Md.)* is amended by deleting the portion which reads: "including all that area bounded on the east by Red civil airway No. 29, on the southwest by the Elmira-Williamsport direct en-route radial and on the northeast by the Elmira-Wilkes Barre direct en route radial."

10. Section 601.231 *Red civil airway No. 31 control areas (Denver, Colo., to Minneapolis, Minn.)* is amended by changing the first sentence, in part, to read: "All of Red civil airway No. 31 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Cheyenne, Wyo., omnirange station."

11. Section 601.235 *Red civil airway No. 35 control areas (Pueblo, Colo., to St. Joseph, Mo.)* is amended by changing the last portion starting from "Hutchinson, Kansas., omnirange station to Wichita, Kansas, omnirange station" etc., to read: "from the Hutchinson, Kans., omnirange station to the Wichita, Kansas, omnirange station via the direct en route radials including all that area bounded on the north by Red civil airway No. 35, on the east by Blue civil airway No. 5 and on the south by the Hutchinson-Wichita direct en route radials; from the Hutchinson, Kans., omnirange station to the Emporia, Kans., omnirange station via the direct en route and 15° north altitude change radials."

12. Section 601.255 *Red civil airway No. 55 control areas (Burlington, Iowa, to Columbus, Ohio)* is amended before the portion which reads: "From the South Bend, Ind., omnirange station to the Millersburg, Ind., omnirange . . ." by adding the following portion to read: "From the intersection of the Naperville omnirange 69° True en route radial and the South Bend omnirange 287° True en route radial to the South Bend, Ind., omnirange station via the South Bend omnirange 287° True en route radial;"

13. Section 601.262 is amended to read:

§ 601.262 *Red civil airway No. 62 control areas (Detroit, Mich., to Altoona,*

Pa.). All of Red civil airway No. 62 including all that area within 5 miles either side of the en route radials from the Cleveland, Ohio, omnirange station to the Bergholz, Ohio, non-directional radio beacon via the Cleveland omnirange direct en route radial.

14. Section 601.281 is amended to read:

§ 601.281 *Red civil airway No. 81 control areas (Lansing, Mich., to Elkins, W. Va.)*. All of Red civil airway No. 81 including all that area within 5 miles either side of the en route radials from the Lansing, Mich., omnirange station to the Toledo, Ohio, omnirange station via the direct en route radials.

15. Section 601.300 is amended to read:

§ 601.300 *Red civil airway No. 100 control areas (Chicago, Ill., to Toledo, Ohio)*. All of Red civil airway No. 100 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Chicago Heights, Ill., omnirange station to the Fort Wayne, Ind., omnirange station via the direct en route and 15° south altitude change radials; from the Fort Wayne, Ind., omnirange station to the Toledo, Ohio, omnirange station via the direct en route radials.

16. Section 601.304 is amended to read:

§ 601.304 *Red civil airway No. 104 control areas (Erie, Pa., to Elmira, N. Y.)*. All of Red civil airway No. 104.

17. Section 601.603 *Blue civil airway No. 3 control areas (Tallahassee, Fla., to Sault Ste. Marie, Mich.)* is amended by deleting the words "from the Tallahassee, Fla., radio range station to a point 25 miles north of the Pellston, Mich., non-directional radio beacon."

18. Section 601.644 *Blue civil airway No. 44 control areas (Advance, Mo., to U. S.-Canadian Border)* is amended by deleting the last portion which reads: "and from the Fort Wayne, Ind., omnirange station to the Toledo, Ohio, omnirange station via the direct en route radials."

19. Section 601.650 is amended to read:

§ 601.650 *Blue civil airway No. 50 control areas (Augusta, Maine to U. S.-Canadian Border)*. All of Blue civil airway No. 50.

20. Section 601.684 is added to read:

§ 601.684 *Blue civil airway No. 84 control areas (Bangor, Maine to Millinocket, Maine)*. All of Blue civil airway No. 84.

21. Section 601.1069 is amended to read:

§ 601.1069 *Control area extension (Santa Barbara, Calif.)*. From the Santa Barbara, Calif., radio range station extending 5 miles either side of the north, west, and south courses of the Santa Barbara radio range to points 25 miles north, west and south of the radio range station, and from the Santa Barbara, Calif., VHF radio range station extending 5 miles either side of a line bearing 122° True from the Santa Barbara VHF radio range station to a point 38 miles southeast.

22. Section 601.1080 is amended to read:

§ 601.1080 *Control area extension (Louisville, Ky.)*. All that area within a 15 mile radius of the Louisville omnirange station excluding danger areas, and all that area within 5 miles either side of the 122° True radial of the Louisville omnirange extending from the omnirange station to a point 25 miles southeast, the area within 5 miles either side of the 154° True radial of the omnirange extending from the omnirange station to a point 25 miles southeast, and the area within 5 miles either side of the Louisville ILS localizer course extending from the localizer to a point 13.2 miles southwest.

23. Section 601.1088 *Control area extension (Alexandria, Minn.)* is amended by adding the following to the present control area extension: "and all that area within 5 miles either side of the 50° True radial of the omnirange extending from the omnirange station to a point 25 miles northeast."

24. Section 601.1092 *Control area extension (Dickinson, N. Dak.)* is amended by adding the following to the present control area extension: "and all that area within 5 miles either side of the 15° True radial of the omnirange extending from the omnirange station to a point 25 miles northeast."

25. Section 601.1095 is amended to read:

§ 601.1095 *Control area extension (Fort Wayne, Ind.)*. All that area within a 15 mile radius of the Fort Wayne omnirange station including that area within 5 miles either side of the 318° True radial of the omnirange extending from the omnirange station to a point 25 miles northwest and that area within 5 miles either side of the Fort Wayne ILS localized course extending from the localizer to a point 20 miles southeast of the outer marker.

26. Section 601.1100 *Control area extension (Lone Rock, Wis.)* is amended by adding the following to the present control area extension: "including the area within 5 miles either side of the 24° True radial of the omnirange extending from the omnirange station to a point 25 miles northeast."

27. Section 601.1154 *Control area extension (Bismarck, N. Dak.)* is amended by adding the following to the present control area extension: "and all that area within 5 miles either side of the 114° True radial of the omnirange station extending from the omnirange station to a point 25 miles southeast."

28. Section 601.1161 is amended to read:

§ 601.1161 *Control area extension (Chicago, Ill.)*. All that area within a 30 mile radius of the Chicago-Midway Airport excluding the portion overlapping danger areas; all that area within a 15 mile radius of the Chicago Heights omnirange station; all that area east of the Chicago Midway Airport bounded on the northwest by Red civil airway No. 28, on the east by Blue civil airway No. 6 and on the south by Red civil airway No. 12, and all that area southeast of Chicago Midway Airport bounded on the north by Red civil airway No. 12, on the east by Blue civil airway No. 6, on the south by Green civil airway No. 3 and on the west by Red civil airway No. 14.

29. Section 601.1246 *Control area extension (Evansville, Ind.)* is amended by adding the following to the present control area extension: "and all that area within 5 miles either side of the 37° True radial of the omnirange extending from the omnirange station to a point 25 miles northeast."

30. Section 601.1250 is amended to read:

§ 601.1250 *Control area extension (Jamestown, N. Dak.)*. All that area within a 15 mile radius of the Jamestown omnirange station including the area within 5 miles either side of the 191° True radial of the omnirange extending from the omnirange station to a point 25 miles south.

31. Section 601.1251 is amended to read:

§ 601.1251 *Control area extension (Mansfield, Ohio)*. All that area within a 15 mile radius of the Mansfield omnirange station including the area within 5 miles either side of the 130° True radial of the omnirange extending from the omnirange station to a point 25 miles southeast.

32. Section 601.1261 is amended to read:

§ 601.1261 *Control area extension (Lansing, Mich.)*. All that area within a 15 mile radius of the Lansing omnirange station including the area within 5 miles either side of the 232° True radial of the omnirange extending from the omnirange station to a point 25 miles southwest.

33. Section 601.1263 is amended to read:

§ 601.1263 *Control area extension (Rochester, Minn.)*. All that area within a 15 mile radius of the Rochester omnirange station including the area within 5 miles either side of the 222° True radial of the omnirange extending from the omnirange station to a point 25 miles southwest.

34. Section 601.1274 is added to read:

§ 601.1274 *Control area extension (Niagara Falls, N. Y.)*. All that area within 5 miles either side of a direct line extending from the Niagara Falls ILS outer marker to the Dunkirk, N. Y., nondirectional radio beacon, excluding the portion which lies outside the continental United States.

35. Section 601.1984 *5 mile control zones* is amended by revoking the following airport:

Langley Field, Va.: Langley Field

36. Section 601.2118 *Pembina, N. Dak., control zone* is revoked.

37. Section 601.2118 is added to read:

§ 601.2118 *Langley AFB, Va., control zone.* Within a 5-mile radius of Langley

AFB and within a 5-mile radius of Patrick Henry Airport, excluding the portion which overlaps danger areas.

38. Section 601.2228 is amended to read:

§ 601.2228 *Fairbanks, Alaska, control zone.* Within a 15-mile radius of Fairbanks International Airport.

39. Section 601.2235 *Willmar, Minn., control zone* is revoked.

40. Section 601.2235 is added to read:

§ 601.2235 *Truth or Consequences, N. Mex., control zone.* Within a 5-mile radius of the Truth or Consequences Municipal Airport extending 2 miles either side of the 13° True radial of the Hot Springs, N. Mex., omnirange extending from the omnirange station to a point 10 miles north.

41. Section 601.2288 is added to read:

§ 601.2288 *Longview, Tex., control zone.* Within a 5-mile radius of Gregg County Airport extending 2 miles either side of a track bearing 188° True from the Longview non-directional radio beacon to a point 10 miles south.

42. Section 601.2289 is added to read:

§ 601.2289 *Houghton, Mich., control zone.* Within a 5-mile radius of the Houghton County Airport extending 2 miles either side of the north course of the Houghton radio range to a point 10 miles north of the radio range station.

43. Section 601.2290 is added to read:

§ 601.2290 *Grand Marais, Mich., control zone.* Within a 5-mile radius of Grand Marais Airport extending 2 miles either side of the west course of the Grand Marais radio range to a point 10 miles west of the radio range station.

44. Section 601.2291 is added to read:

§ 601.2291 *Sault Ste. Marie, Mich., control zone.* Within a 5-mile radius of Kinross Airport, Sault Ste. Marie, Mich., extending 2 miles either side of the ILS localizer course to a point 10 miles northwest of the ILS outer marker compass locator.

45. Section 601.4012 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* is amended by deleting the following compulsory reporting point:

"Utica, N. Y., radio range station;"

46. Section 601.4107 *Amber civil airway No. 7 (Key West, Fla., to U. S.-Canadian Border)* is amended by deleting the following compulsory reporting point:

"Bangor, Maine, radio range station;"

47. Section 601.4222 is amended to read:

§ 601.4222 *Red civil airway No. 22 (Mount Clemens, Mich., to Albany, N. Y.).* The intersection of the northeast course of the Buffalo, N. Y., radio range and the northwest course of the Rochester, N. Y., radio range; Utica, N. Y., radio range station.

48. Section 601.4223 *Red civil airway No. 23 (U. S.-Canadian Border to New York, N. Y.)* is amended by adding the following compulsory reporting points at beginning of designation: "The Houghton, Mich., radio range station; Sault Ste. Marie, Mich., radio range station;"

49. Section 601.4262 is amended by changing caption to read:

§ 601.4262 *Red civil airway No. 62 (Detroit, Mich., to Altoona, Pa.).* * * *

50. Section 601.4281 is amended by changing caption to read:

§ 601.4281 *Red civil airway No. 81 (Lansing, Mich., to Elkins, W. Va.).* * * *

51. Section 601.4300 is amended by changing caption to read:

§ 601.4300 *Red civil airway No. 100 (Chicago, Ill., to Toledo, Ohio).* * * *

52. Section 601.4308 is added to read:

§ 601.4308 *Red civil airway No. 108 (Watertown, S. Dak., to Redwood Falls, Minn.).* No reporting point designation.

53. Section 601.4304 is amended by changing caption to read:

§ 601.4304 *Red civil airway No. 104 (Erie, Pa., to Elmira, N. Y.).* * * *

54. Section 601.4603 is amended to read:

§ 601.4603 *Blue civil airway No. 3 (Tallahassee, Fla., to Sault Ste. Marie, Mich.).* Traverse City, Mich., radio range station; Pellston, Mich., nondirectional radio beacon.

55. Section 601.4650 is amended to read:

§ 601.4650 *Blue civil airway No. 50 (Augusta, Maine, to U. S.-Canadian Border).* Bangor, Maine, radio range station.

56. Section 601.4662 is amended to read:

§ 601.4662 *Blue civil airway No. 62 (Ypsilanti, Mich., to Traverse City, Mich.).* The Saginaw, Mich., nondirectional radio beacon.

57. Section 601.4684 is added to read:

§ 601.4684 *Blue civil airway No. 84 (Bangor, Maine, to Millinocket, Maine).* No reporting point designation.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. July 31, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-8444; Filed, July 20, 1951; 8:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5725]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CONTINENTAL RADIO TUBE CO. ET AL.

Subpart—*Concealing or obliterating law required and informative marking:* § 3.517 *Government or war surplus;* § 3.520 *Quality, grade or qualities.* Subpart—*Misbranding or mislabeling:* § 3.1195 *Connections and arrangements with others;* § 3.1265 *Old, secondhand, reclaimed or reconstructed product as new;* § 3.1285 *Producer status of dealer or seller;* § 3.1295 *Quality or grade;* § 3.1335 *Success, use or standing.* Subpart—*Passing off:* § 3.2105 *Passing off.* In connection with the sale and distribution of radio tubes in commerce, (1) removing the manufacturers' or other identifying numbers or symbols on radio tubes purchased by them, substituting in lieu thereof other numbers or symbols, and delivering same to customers in commerce as products to which such substitute identification marks would not truthfully or properly apply, as understood in the trade and by the consuming public; (2) buffing away the service numbers or symbols on war surplus radio tubes purchased by them, substituting therefor commercial numbers or symbols, and delivering same to customers in commerce, thereby representing, directly or inferentially, that such war surplus tubes are current commercial stock of recent manufacture; (3) representing that respondents have been licensed by Radio Corporation of America to make or distribute tubes, or for any other purpose; or, (4) representing, by statement or by implication, that respondents are master builders of radio tubes or that they manufacture any tubes whatsoever; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Continental Radio Tube Company, et al., Docket 5725, April 19, 1951]

In the Matter of Continental Radio Tube Company a Corporation, and P. D. Jackson, Jacob L. Gaber, Erwin F. Rempert, and Martin Gaber, Individually and as Officers of Continental Radio Tube Company.

This proceeding was heard by Clyde M. Hadley, trial examiner, upon the complaint of the Commission, respondents' answer, and a stipulation whereby it was stipulated and agreed that a statement of facts signed and executed by counsel for respondents and by Randolph W. Branch, for the Commission, might be taken as the facts in the proceeding and in lieu of testimony in support of and in opposition to the charges stated in the complaint, and might serve as the basis for findings as to the facts and conclusion based thereon and order disposing of the proceeding (counsel having duly waived presentation of proposed findings and conclusions or oral argument), but subject to the express provision that upon appeal to or review by the Commission it might be set aside by it and the matter remanded for further proceedings under the complaint.

Thereafter the proceeding regularly came on for final consideration by said trial examiner upon the complaint, answer and stipulation, and said trial examiner, having approved said stipulation and considered the record, and found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provsion of said Rule XXII, became the decision of the Commission April 19, 1951.

It is ordered, That the respondents Continental Company, a corporation, trading under its own or by any other name, and P. D. Jackson, Jacob L. Gaber, Erwin F. Rempert, and Martin Gaber, either individually or as officers thereof, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the sale and distribution of radio tubes in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from the following acts and practices.

1. Removing the manufacturers' or other identifying numbers or symbols on radio tubes purchased by them, substituting in lieu thereof other numbers or symbols, and delivering same to customers in commerce as products to which such substitute identification marks would not truthfully or properly apply, as understood in the trade and by the consuming public.

2. Buffing away the service numbers or symbols on war surplus radio tubes purchased by them, substituting therefor commercial numbers or symbols, and delivering same to customers in commerce, thereby representing, directly or inferentially, that such war surplus tubes are current commercial stock of recent manufacture.

3. Representing that respondents have been licensed by Radio Corporation of America to make or distribute tubes, or for any other purpose.

4. Representing, by statement or by implication, that respondents are master builders of radio tubes or that they manufacture any tubes whatsoever.

By "Decision of the Commission and order to file report of compliance", Docket 5725, April 19, 1951, which announced and decreed fruition of said initial decision, report of compliance with said order to cease and desist was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

Issued: April 19, 1951.

[F. R. Doc. 51-8441; Filed, July 20, 1951; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

GENERAL PROVISIONS

Rescind §§ 536.1 to 536.10, inclusive, and substitute the following in lieu thereof:

Sec.

AUTHORITY: §§ 536.1 to 536.8 issued under R. S. 161; 5 U. S. C. 22.

SOURCE: §§ 536.1 to 536.8, inclusive, contained in SR 35-20-1, 31 May 1951.

§ 536.1 *Definitions.* The word "claims" as used in §§ 536.1–536.8 refers to those demands for payment in money submitted in writing by individuals, partnerships, associations, or corporations, including countries, States, Territories, and other political subdivisions of such countries, but excluding the Federal Government of the United States and its instrumentalities, other than such demands for payment as arise under ordinary obligations incurred by the Department of the Army or the Army in the procurement of services or supplies. As to claims in favor of the United States, see §§ 537.3–537.5 of this chapter.

§ 536.2 *Application.* So far as consistent with the specific regulations, the procedures set forth in §§ 536.1–536.8 will apply to claims under §§ 536.12–536.23, 536.26, 536.27, and 536.29. As to marine casualties, see § 536.44.

§ 536.3 *Authority to settle claims.* Authority to settle claims has by statute been granted to the Department of the Army and the Army, as shown in the following chart, which may be used as a guide in determining which section of this part have application to any claim.

CLAIMS CHART

Sections	Statute	Title	Coverage	Amount	Method of settlement	Personal injury	Personal property	Real property	Subrogation	Time limit	Remarks
536.12–536.23 [AR 25–25]	Sec. 1, act July 3, 1943 (57 Stat. 372), as amended by act May 29, 1945 (59 Stat. 225); act June 28, 1946 (60 Stat. 332); act July 26, 1947 (61 Stat. 501; 31 U. S. C. 223b).	Military Claims Act.	Damage to or loss or destruction of property, or personal injury or death, caused by military personnel or civilian employees, while acting within the scope of their employment or otherwise incident to noncombat activities of the Department of the Army or of the Army, settlement of which under these provisions is not precluded by the Federal Tort Claims Act, infra.	$1,000 maximum. Claims in excess of $1,000 may be reported to Congress.	Approved by designee of Secretary of the Army, with appeal to the Secretary of the Army. If in excess of $1,000: Approval by Secretary of the Army, who submits to Bureau of the Budget for report to Congress.	Yes, to extent of reasonable medical, hospital, and burial expenses.	Yes...	Yes...	Entire amount allowed to subrogor but no payment to subrogee.	1 year, except that if claim arises in time of war or when war intervenes within 1 year, and good cause for delay is shown 1 year after peace is established.	Applicable if not within AR 25–70 (§536.29) AR 25–90 (§536.26), or AR 25–100 (§536.27).

CLAIMS CHART—Continued

Sections	Statute	Title	Coverage	Amount	Method of settlement	Personal injury	Personal property	Real property	Subrogation	Time limit	Remarks
536.29 [AR 25-70]	Federal Tort Claims Act as codified by the act of June 25, 1948 (62 Stat. 982, as amended; 28 U. S. C. Supp., 2671-2680).	Federal Tort Claims Act.	Damage to or loss of property or personal injury or death, where the total amount of the claim does not exceed $1,000, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death, in accordance with the law of the place where the act or omission occurred. ("Employee of the Government" includes members of the military forces.)	$1,000 maximum. Claims in excess of $1,000 may be sued upon in United States district courts.	Approval by Secretary of the Army or his designee, subject to appeal to Secretary of the Army.	Yes, including all elements of compensatory damage allowed in jurisdiction where act or or omission causing injury occurred.	Yes...	Yes...	Entire or partial amount allowed and paid to subrogor and/or subrogee jointly or severally in accordance with their respective interests.	2 years	Applicable to claims predicated on negligence arising only in the United States, its Territories, and possessions.
536.25 [AR 25-80]	Act of May 5, 1950 (64 Stat. 107; 50 U. S. C. 551-736).	Uniform Code of Military Justice Article 139.	Damage to or loss or destruction of property by members of the Armed Forces caused by riotous, violent, or disorderly conduct, or acts of depredation, willful misconduct, or such reckless disregard of property rights as to carry implications of guilty intent.	No limit	Approval by offender's commanding officer. Payment by local disbursing officer out of deductions from offender's pay.	No	Yes...	Yes...	Uninsured portion allowed to subrogor but no payment to subrogee.	60 days	Not used when claim is payable under AR 25-25 (§§ 536.12-536.23), AR 25-70 (§ 536.29), AR 25-90 (§ 536.26), or AR 25-100 (§§ 536.27).
536.26 [AR 25-90]	Act of Jan. 2, 1942 (55 Stat. 880), as amended by act Apr. 22, 1943 (57 Stat. 66); act July 31, 1945 (59 Stat. 511); act July 25, 1947 (61 Stat. 449, 454; 31 U. S. C. 224d).	Foreign Claims Act.	Damage to or loss or destruction of property, or personal injury or death caused by United States Armed Forces or individual members and civilian employees thereof in foreign countries.	$5,000 maximum. Claims in excess of $5,000 may be reported to Congress.	Approval by a Foreign Claims Commission; if in excess of $2,500 must also be approved by theater, base, or comparable commander or by The Judge Advocate General. Payment by local disbursing officer on certification by such commission. Claims in excess of $5,000 approved by Secretary of the Army may be reported to Congress.	Yes	Yes...	Yes...	Entire amount allowed to subrogor but no payment to subrogee.	1 year	Applicable to exclusion of all other regulations when claiment is an inhabitant of the foreign country in which claim arose, unless claim arose incident to service of such inhabitant in employ of the United States.
536.27 [AR 25-100]	Act of May 29, 1945 (59 Stat. 225; 31 U. S. C. 222c).	Military Personnel Claims Act.	Damage to or loss, destruction, capture, or abandonment of personal property of military personnel or civilian employees occurring incident to their service.	No limit	Approval by designee of Secretary of the Army.	No	Yes...	No...	Uninsured portion allowed to subrogor but no payment to subrogee.	1 year except that if claim arises in time of war, or if war intervenes within 2 years, 1 year after peace is established, provided good cause is shown for delay in filing claim.	Where applicable, these regulations are used to the exclusion of all other regulations.

§ 536.4 *Action by claimant.*—(a) *Claimant*—(1) *Claims for property damage, loss, or destruction.* Claims for damage to or loss or destruction of property may be presented by the owner of the property or his duly authorized agent or legal representative. The word "owner," as so used, includes bailees, lessees, mortgagors, and conditional vendees, but does not include mortgagees, conditional vendors, and others, having title for purposes of security only. (As to claims of subrogees, see the applicable specific regulations.) The claim, if filed by an agent or legal representative, should be filed in the name of the owner, signed by such agent or legal representative, show the title or capacity of the person signing and be accompanied by evidence of the appointment of such person as agent, executor, administrator, guardian, or other fiduciary. The claim, if filed by a corporation, should show the title or capacity of the officer signing and be accompanied by evidence of his authority to act.

(2) *Claims for personal injury or death.* Claims for personal injury or death may be presented by the injured person or his duly authorized agent or legal representative. Claims for medical, hospital, and burial expenses not presented by the injured person or his duly authorized agent or legal representative, may, if it appears that no legal representative has been appointed, be presented by any person who, by reason of family relationship, has in fact incurred the expenses for which claim is made.

(b) *Form of claim.* Claims should be submitted by presenting in triplicate a dated statement in writing stating the claimant's address (military personnel should state military and home address) and setting forth the definite amount of the claim, so far as possible, the detailed facts and circumstances surrounding the accident or incident, indicating the date and place, the property and persons involved, the nature and extent of the damage, loss, destruction, or injury, and the agency which was the cause or occasion thereof, whether or not a suit has been filed in a United States District Court on the subject matter of the claim and, if so, the outcome or status of such suit. Department of the Army forms or standard forms promulgated by the Bureau of the Budget will be used whenever practicable.

(c) *Evidence to be submitted by claimant*—(1) *General.* The amount claimed for damage to or loss or destruction of property, or for personal injury or death, should be substantiated by competent evidence.

(2) *Property damage.* In support of claims for damage to personal property which has been or can be economically repaired, the claimant should submit in triplicate an itemized signed statement or estimate of the cost of repairs, if not economically reparable, or if the property is lost or destroyed, the value thereof, both before and after the accident, should be stated. In support of claims for damage to land, trees, buildings, fences, and other improvements and similar property, the claimant should submit an itemized signed statement or estimate of the cost of repairs; if not economically reparable, the value both before and after the accident, of the land damaged, or of the improvement of other property, if it can be readily and fairly valued apart from the land, should be stated. In support of claims for damage to crops, the statement should show the number of acres or other unit measure, of the crops damaged, the normal yield per unit, the gross amount which would have been realized from such normal yield, and an estimate of the further costs of cultivation, harvesting, and marketing; if the crop is one which need not be planted each year, the diminution in value of the land beyond the damage to the current year's crop should also be stated. All such statements or estimates should, if possible, be by disinterested competent witnesses, preferably reputable dealers in the type of property damaged. Such statements and estimates should be certified as just and correct; if payment has been made, itemized receipts evidencing payment should be included. In the case of claims for damage to or loss or destruction of registered or insured mail, the claimant should in addition submit, where possible, the registration or insurance receipt, or an attested copy thereof, showing the amount of fee and postage paid.

(3) *Personal injury.* In support of claims for personal injury or death, the claimant should submit in triplicate, a written report by attending physician, showing the nature and extent of injury, the nature and extent of treatment, and degree of permanent disability, if any, the prognosis, and the period of hospitalization or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred, and, if claim is made for loss of time or loss of earnings, a written report in triplicate by claimant's employer showing claimant's age, occupation, wage or salary, time lost from work, whether or not a full time employee, and actual period of employment by dates. If claimant is self-employed, his claims for loss of earnings must be supported by competent evidence as to the amount of earnings actually lost.

(d) *Signatures.* The claim and all other papers requiring the signature of the claimant should be signed by the claimant personally or by a duly authorized agent and should show the given name, middle initial, if any, and surname. The signature of such claimant or agent must be in ink and should be identical on all papers. When a claim is signed by a married woman, it should be signed in her given name, e. g., "Mary A. Doe" instead of "Mrs. John Doe." The middle initial or name, if any, should be the initial or name normally used by the claimant.

(e) *Place of filing.* The claim should be submitted to the commanding officer of the unit involved if known, otherwise to the commanding officer of any installation or other military establishment, if practicable the one within which or nearest to which the accident or incident occurred. If in a foreign country where no military forces are stationed, the claim may be submitted to an attaché of the United States Armed Forces.

§ 536.5 *Duties of claims officer.*—(a) *Procedure.* In proceeding with the investigation and making his report, the claims officer will:

(1) Consider all information and evidence obtained as the result of any previous inquiry or investigation of any aspect of the accident or incident.

(2) Conduct further independent investigation of the matter in a fair and impartial manner.

(3) Secure and consider testimony of all competent witnesses on pertinent facts.

(4) Submit in triplicate all pertinent testimony and evidence (or the substance thereof where appropriate) taken or considered.

(5) Make certain that repair bills or estimates are certified by the persons rendering them, as just and correct. If the bills have been paid, the payees should so certify.

(6) Claims against the United States will not be solicited. In the event inquiry is made as to the procedure whereby a claim may be filed, the person making the inquiry will be informed of the provisions of § 536.4, furnished appropriate forms, and advised as to where they may be filed. Furnishing the claimant forms bearing on the reverse a substantial copy of such provisions will constitute compliance with such requirement. The claims officer will state whether or not potential claimants have requested or received claim forms.

(b) *Consolidation of claims in a single report.* When several claims are presented as the result of a single accident or incident, they should normally be incorporated in a single report. Any claims presented subsequently may be processed with reference to the report already submitted.

(c) *Ascertainment of amount of damage*—(1) *Property damage, loss, or destruction.* (i) Property is economically reparable if the cost of repairs does not exceed the actual value of the property immediately prior to the accident or incident less the value of the damaged property immediately after the accident or incident.

(ii) If the property has been or can be economically repaired, the measure of damage is the net cost or estimated cost, as defined in subdivision (iv) of this subparagraph, of repairs necessary to restore the property to substantially the condition in which the property was immediately prior to the accident or incident.

(iii) If the property cannot be economically repaired, the measure of damage is the value of the property immediately prior to the accident or incident less the value thereof immediately after the accident or incident.

(iv) To determine the net cost, or estimated cost of repairs under subdivision (ii) of this subparagraph, there should be deducted from the gross cost (actual or estimated) the value of any salvaged parts or materials and the

amount of any appreciation in value thereby effected, and there should be added to such gross cost the amount of any depreciation resulting, provided such deductions or additions are sufficiently substantial in amount to warrant consideration.

(v) All such statements and estimates should, if possible, be by one or more disinterested competent witnesses, preferably reputable dealers in the type of property damaged, lost, or destroyed.

(vi) Loss of use of damaged business, agricultural, or residential property which is economically reparable may, if claimed, be included as an additional item of damage to the extent of the reasonable expense actually incurred for appropriate substitute property but only for such period as is reasonably necessary for repairs and provided that idle substitute property of the claimant was not employed. When substitute property is not obtainable from others, other competent evidence such as rental value, if not speculative or remote, may be considered. When substitute property is reasonably available but is not obtained and used by the claimant, loss of use is not normally payable.

(vii) The measure of damage, in cases of total loss or destruction of registered or insured mail, is the value thereof immediately prior to the accident or incident plus, if claimed, the amount of any registration or insurance fee or other special fees, and the amount of postage prepaid. In cases of damage only, or partial loss or destruction, the measure of damage is the value thereof immediately prior to the accident or incident less any salvage except that, if economically reparable, the measure of damage is the estimated or actual cost of repairs; no fees or prepaid postage are payable if actual delivery of the parcel or letter is made to the correct addressee.

(viii) The measure of damage in cases cognizable under the Federal Tort Claims Act is determined by the law of the place where the act or omission, out of which such damage arises, occurred.

(2) *Personal injury or death.* (i) The measure of damage is as provided in the specific regulations which the claim is payable.

(ii) All statements and estimates of medical, hospital, and burial expenses should be substantiated by the originals or copies of any bills rendered.

(3) *Excluded items.* Interest, cost of preparation of claims and securing supporting evidence, inconvenience, and similar items may not be included as elements of damage.

(4) *Recoveries from joint tort-feasors.* If the claimant has elected to proceed against a third party as a joint tort-feasor, any amount so collected in respect of items of damage which otherwise may properly be included in the claim against the Government will be reported.

(d) *Advice to claimant.* The claims officer will not advise the claimant as to the action taken on his claim. All inquiries with respect to the approval or disapproval of a claim will be acknowledged and the inquiry will be forwarded to the office having delegated authority to adjudicate the claim. In no case will the claims officer advise the claimant that his claim has been or will be approved or disapproved.

§ 536.6 *Claims not provided for under any law.* All claims the settlement of which is not provided for by any specific law or appropriation will be referred to a claims officer for investigation and report in a manner similar to that prescribed in § 536.5, with such modification thereof as the features of the particular case may warrant. Such claims, with related files and recommendations will be forwarded promptly in triplicate, retaining only a card record thereof, by or through the commanding general of the army or comparable command, or the command claims service, to The Judge Advocate General, Washington 25, D. C., for appropriate administrative action.

§ 536.7 *Transfers and assignments of claims.* All transfers and assignments made of any claim upon the United States, or of any part or share thereof, or interest therein, whether absolute or conditional, and all powers of attorney, orders, or other authorities for receiving any payment of any such claim, or of any part of share thereof, are (see R. S. 3477, as amended; 31 U. S. C. 203) absolutely null and void, unless made after the issuing of a warrant for the payment thereof. The provisions of the statute, as amended, do not apply to assignments of claims by operation of law, as when a receiver or trustee in bankruptcy is appointed for an individual, firm, or corporation, or an administrator for the estate of a deceased person, or when an insurance company becomes subrogated to the claimants rights; nor do they apply in any case in which the moneys due from the United States or from any agency or department thereof, under a contract providing for payments aggregating $1,000 or more, are assigned to a bank, trust company, or other financing institution, including any Federal lending agency, under the conditions set forth in the act of October 9, 1940. See §§ 535.5–535.9 of this chapter.

§ 536.8 *Disclosure of information.* Except as required in the discharge of his proper official duties, no person in the military service or employed by the Department of the Army or the Army, will furnish any information which can be used as the basis of a claim against the United States. Without prior approval of the Office of The Judge Advocate General, claimants or their authorized representatives will not be permitted to examine any part of the evidence of record except that submitted by such claimants.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-8442; Filed, July 20, 1951; 8:52 a. m.]

Subchapter F—Personnel

PART 582—DISCHARGE OR SEPARATION FROM THE SERVICE

DISCHARGE FOR THE CONVENIENCE OF THE GOVERNMENT

Section 582.3 is rescinded and the following substituted therefor:

§ 582.3 *Discharge for the convenience of the Government—*(a) *General.* The discharge or release from active duty of enlisted personnel for the convenience of the Government is the prerogative of the Secretary of the Army and will be effected only by his authority. Such authority may be given either in an individual case or by an order applicable to all cases specified in an order.

(b) *Categories for which authorized.* The Secretary of the Army has delegated to commanders the authority to order enlisted personnel discharged or released from active duty for the convenience of the Government for the following reasons:

(1) To dispose of cases involving an individual's claim that prior to induction he was denied a procedural right as provided by the Selective Service Act of 1948 and was, therefore, erroneously inducted. All requests for discharge under this provision will be forwarded to the officer exercising discharge authority and by him to the State director of the selective service system of the State of the applicant's registration for his recommendation. The officer exercising discharge authority will discharge the individual or retain him in the service in accordance with the recommendation made by the State director of the selective service system.

(2) To permit separation of individuals with a physical or mental defect or disability who elect discharge for the convenience of the Government provided it has been established clearly by proper medical authority that the defect or disability:

(i) Existed prior to entrance on present period of active service, or

(ii) Was incurred not in line of duty during a prior period of active service, and

(iii) Was not aggravated during prior or present period of active service.

(3) To dispose of cases involving aliens residing in the United States illegally who did not conceal their true citizenship status at time of enlistment or induction. Such individuals will be reported to the nearest office of the Immigration and Naturalization Service and will be discharged for the convenience of the Government. The form of discharge certificate furnished will be that to which the service rendered by the individual after enlistment or induction will entitle him. The specific reason for discharge will be shown on the certificate of discharge as "Alien without legal residence in the United States." It is not the intent of this section to preclude the discharge of these individuals under the provisions of AR 615–368 (Army regulations pertaining to discharge for unfitness) or AR 615–369 (Army regulations

pertaining to discharge for inaptitude or unsuitability), if appropriate.

(4) To provide appropriate action in cases involving the discovery of concealment by an individual that he has been adjudged a youthful offender under section 1639–30, Supplement to the General Code of Ohio, 1936, June 1938, or by a juvenile court of any other State having a similar law and is considered as not having been convicted by a civil court. If such individual was otherwise eligible for enlistment or induction under current directives, he normally will be retained in the service.

(i) Upon discovery that an individual had been adjudged a youthful offender under the conditions outlined above, prior to enlistment or induction, and the juvenile record of the individual indicates frequent difficulty with law-enforcement agencies and his retention in the service is not desired, the individual will be discharged for the convenience of the Government. The form of discharge certificate furnished will be that to which the service rendered by the individual after enlistment or induction will entitled him. The specific reason for discharge will be shown on the certificate of discharge as "Adjudged a youthful offender." If civil custody exists, that is parole, probation, conditional release, or suspended sentence, notification of the pending discharge will be reported to the proper civil authorities.

(ii) Upon discovery that an individual had been adjudged a youthful offender, under the conditions outlined above, prior to enlistment or induction, and his retention in the service is desired, the proper civil authority will be contacted with a view to ascertain whether any form of civil custody exists, such as parole, probation, conditional release, or suspended sentence. Where it develops that civil custody still exists, the proper civil authority will be requested to terminate or suspend custody for the duration of the period of service of the individual. If civil custody is then so terminated or suspended the individual will be retained in the service. In cases in which the civil authorities refuse to terminate or suspend custody, the individual will be discharged. If separated, the individual will be discharged for the convenience of the Government as outlined in subdivision (i) of this subparagraph.

(c) *National health, safety, or interest.* Based on their importance to national health, safety, or interest enlisted personnel may be discharged for the convenience of the Government when specifically authorized by the Department of the Army. The discharge or release from active duty of an individual for this reason will be authorized only when recommended by a governmental agency authorized to make such a recommendation and determination. Requests for discharge under this provision will be forwarded direct to The Adjutant General, Department of the Army, Washington 25, D. C., ATTN: AGPO–X, by the commanders having discharge authority.

[AR 615–365, June 14, 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, USA,
Acting The Adjutant General.

[F. R. Doc. 51–8443; Filed, July 20, 1951; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 7, Correction to Amendment 4 to Supplementary Regulation 1]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

SR 1—SPECIAL PRICING METHODS FOR CERTAIN CHAIN STORES AND MAIL ORDER ESTABLISHMENTS

Due to a clerical error in Amendment 4 to Supplementary Regulation 1 to Ceiling Price Regulation 7, certain incorrect dates appeared in section 2 (b) (3), effective June 30, 1951. Accordingly, section 2 (b) (3) of Supplementary Regulation 1 to Ceiling Price Regulation 7 is corrected to read as follows:

(3) Between April 1, 1951 and June 23, 1951 (where the list date is June 23, 1951);

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51–8492; Filed, July 19, 1951; 4:00 p. m.]

[Ceiling Price Regulation 17, Amendment 3]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM GASES

RESIDUAL FUEL OILS AND BLENDS THEREOF WITH DISTILLATE FUEL OILS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 733), this amendment to Ceiling Price Regulation 17 (16 F. R. 3033), is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 2 to CPR 17 established specific prices for residual fuel oils at certain East Coast points. This action had the purpose and effect of increasing ceiling prices for these products as set forth in the Statement of Considerations accompanying Amendment No. 2. It was the expressed intent of the Director of Price Stabilization that such authorized increases apply to all methods of delivery and at all distribution levels.

It has since been brought to the attention of the Director of Price Stabilization that there is some ambiguity in Amendment 2 with respect to the applicability of the regulation to cargo sales. Also, some question has been raised regarding the clarity of expression with respect to the manner in which the authorized increases are to be applied by the various distributors involved. This amendment is designed to remove these ambiguities. Specific increases are herein established for cargo sales. In addition, section 21 (a) (3) has been rewritten to clarify the manner in which authorized increases may be added to ceiling prices established under Amendment 2 of CPR 17.

It has been brought to the attention of the Director of Price Stabilization that sales of residual fuel oil are presently being made at Morehead City, North Carolina, rather than Wilmington, North Carolina. Such being the case, Wilmington has been deleted and Morehead City has been added.

Discussion with sellers affected by this Amendment has developed that the prices for residual fuel oils to all classes of purchasers at certain inland points are customarily based upon the prices at the Atlantic Coast ports designated in this Amendment even though the product does not originate from such ports. This amendment, therefore, increases the ceiling prices of sellers at such inland points who customarily based their residual fuel oil selling prices on the designated East Coast points, regardless of the point from which the residual oils originate.

It has also been developed that the supply of residual fuel oils at other inland points originates from varying sources, including the designated East Coast ports. However, prices at such inland points are not based upon such East Coast points. Accordingly, provision is made in such cases to allow sellers to increase their ceiling prices, but such increases are restricted to that specific volume originating from designated East Coast points. This conforms to the customary pricing practices in the industry.

This amendment also permits sellers in Puerto Rico and the Virgin Islands to add to their f. o. b. or delivered ceiling prices 17½ cents per barrel on deliveries of residual fuel oil or blends thereof. This increase is necessary because of increased tanker transportation costs and a recent increase in the import duty of 10½ cents per barrel on sales in this area. Since, historically, residual fuel oil sellers in this area have passed on the import duty, it has been deemed appropriate that this increase should be permitted as an addition to their ceiling prices. The reasons for the increase allowed because of tanker transportation costs have been set forth in the Statement of Considerations accompanying Amendment 2 to CPR 17.

AMENDATORY PROVISIONS

Ceiling Price Regulation 17 is amended in the following respects:

1. Section 21 (a) of Ceiling Price Regulation 17 is amended to read as follows:

SEC. 21. *Residual fuel oils and blends thereof with distillate fuel oils.*—(a) *Specific prices.*—(1) *No. 6 Commercial Standard Specifications Fuel Oil.* The ceiling prices for sales of No. 6 Commercial Standard Specifications Fuel Oil in

bulk lots delivered into ships' bunkers (ex lighterage) and delivered into barge and tank car or transport trucks, f. o. b. refineries and tanker terminals shall be as follows at the enumerated points below:

Atlantic coast ports	Dollars per 42-gallon barrel	
	Ships' bunkers (ex lighterage) or barge	Tank car or transport truck
Searsport, Maine	2.51	2.54
Portland, Maine	2.51	2.54
Portsmouth, New Hampshire	2.51	2.54
Everett, Massachusetts	2.51	2.51
Boston Harbor Area	2.51	2.51
Fall River, Massachusetts	2.47	2.47
Tiverton, Rhode Island	2.47	2.47
Providence Harbor Area	2.47	2.47
New London, Connecticut	2.47	2.47
New Haven, Connecticut	2.47	2.47
Bridgeport, Connecticut	2.47	2.47
New York Harbor Area	2.45	2.45
Philadelphia Harbor Area	2.45	2.48
Baltimore, Maryland	2.45	2.48
Norfolk, Virginia	2.40	2.43
Morehead City, North Carolina	2.34	2.37
Charleston, South Carolina	2.31	2.34
Savannah, Georgia	2.31	2.34
Jacksonville, Florida	2.28	2.31
Miami, Florida	2.22	2.25
Tampa, Florida	2.16	2.19
Port St. Joe, Florida	2.16	2.19
Panama City, Florida	2.16	2.19

(2) *Other residual fuel oil products.* Any seller who during the base period maintained a customary differential between No. 6 Commercial Standard Specifications Fuel Oil and other residual fuel oil products, such as low sulphur (maximum 1 per cent) No. 6 fuel oil, residual gas enrichment oils, residual No. 4 and 5 fuel oils and special No. 4 residual fuel oils may add such base period differentials to the ceiling prices determined under subparagraph (1) of this paragraph.

(3) *Preservation of discounts, differentials, and allowances.* The ceiling prices determined under subparagraphs (1) and (2) of this paragraph shall reflect customary discounts, differentials and allowances in effect in the base period to all classes of purchasers.

2. Section 27 is amended to read as follows:

SEC. 27. *Increases permitted for designated areas.*—(a) *Export sales and sales in the territories of the United States.* Any export regulation which may hereafter be issued shall be applicable to export sales and sales for export of commodities covered by this regulation. Sellers of commodities covered by this regulation who during the base period treated purchasers in the territories of the United States as purchasers of a separate class from purchasers located in the continental United States may continue to apply on their sales to these purchasers their customary differentials. Such customary differentials may include charges for special packing if it was the sellers' practice to include such charges on their sales to purchasers in the territories during the base period.

(b) *Puerto Rico and the Virgin Islands.* On deliveries of residual fuel oil or blends thereof in Puerto Rico and the Virgin Islands, a seller may add to his f. o. b. or delivered ceiling price 7¢ per barrel plus any duty actually paid by him in excess of 10½¢ per barrel, unless the seller has already added increased duty charges pursuant to paragraph (a) of this section.

(c) *Delivered cargo ceiling prices for residual fuel oil and blends thereof with distillate fuel oils at Atlantic Coast ports—(1) No. 6 Commercial Standard Specifications Fuel Oil.* The delivered cargo ceiling prices of all sellers for sales of No. 6 Commercial Standard Specifications Fuel Oil applicable to all classes of purchasers in effect prior to June 4, 1951, shall be increased by the amounts per barrel indicated at the points enumerated in the table below:

Atlantic coast ports	Dollars per 42-gallon barrel
	Increases in delivered cargo prices
Searsport, Maine	$0.31
Portland, Maine	.31
Portsmouth, New Hampshire	.31
Everett, Massachusetts	.31
Boston Harbor Area	.31
Fall River, Massachusetts	.295
Tiverton, Rhode Island	.295
Providence Harbor Area	.295
New London, Connecticut	.295
New Haven, Connecticut	.32
Bridgeport, Connecticut	.32
New York Harbor Area	.30
Philadelphia Harbor Area	.30
Baltimore, Maryland	.30
Norfolk, Virginia	.25
Morehead City, North Carolina	.22
Charleston, South Carolina	.21
Savannah, Georgia	.21
Jacksonville, Florida	.19
Miami, Florida	.17
Tampa, Florida	.17
Port St. Joe, Florida	.17
Panama City, Florida	.17

(2) *Other residual fuel oil products.* Any seller who during the base period maintained a customary differential between No. 6 Commercial Standard Specifications Fuel Oil and other residual fuel oil products, such as low sulphur (maximum 1 per cent) No. 6 fuel oil, residual gas enrichment oils, residual No. 4 and 5 fuel oils and special No. 4 residual fuel oils may add such base period differentials to the ceiling prices determined under subparagraph (c) (1) of this section.

(3) *Increases for other transactions and at other points.* An f. o. b. or delivered ceiling price, in effect prior to June 4, 1951, of any seller of residual fuel oil or blends thereof, whose ceiling price is not established in section 21 (a) (1) and (2), shall be increased to each class of purchaser by the amount of the increase specified in the table in paragraph (c) (1) of this section in the following cases:

(i) On sales at any point where the purchaser is of a class which was customarily, and is presenty, supplied from the points designated in the table in paragraph (c) (1) of this section.

(ii) On sales at any point where the seller's price of residual fuel oil, or blends thereof, was customarily based upon the price at a point set forth in the table in paragraph (c) (1) of this section, in which case the increase can be added irrespective of where the product originates.

(4) *Preservation of discounts, differentials, and allowances.* The ceiling prices determined under this section shall reflect customary discounts, differentials and allowances in effect in the base period to all classes of purchasers.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective July 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8493; Filed, July 19, 1951; 4:00 p. m.]

[Ceiling Price Regulation 22, Amendment 17]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

EXCLUSION OF HARD FACING PRODUCTS CONTAINING TUNGSTEN AND PURE TUNGSTEN AND THORIATED TUNGSTEN PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Some of the commodities named in this amendment were included in the coverage of Ceiling Price Regulation 30. Others were covered by Ceiling Price Regulation 22, while the remainder were under the General Ceiling Price Regulation. However, all of these commodities constitute a portion of the category of products for which an adjustment in ceiling prices is provided by Supplementary Regulation 42 to the General Ceiling Price Regulation, issued simultaneously herewith. Like other tungsten-bearing metal products covered by that supplementary regulation, none of them have been processed or fabricated beyond the stages of casting, rolling, drawing, grinding, swaging, cutting, bending, crushing, or powdering, and the cost of tungsten in raw materials is one of the most important cost elements in their manufacture. For these reasons their ceiling prices should be permitted the same adjustment.

To accomplish this result and to avoid the confusion and price distortions which would otherwise occur, Amendment 5 to CPR 30, issued simultaneously herewith excludes these products from the coverage of that regulation. For the same reasons, this amendment makes clear that all of these products are excluded from Ceiling Price Regulation 22.

AMENDATORY PROVISIONS

Appendix A of Ceiling Price Regulation 22 is amended in the following respects:

1. Paragraph (r) is amended to read as follows:

(r) Primary metals, metallic alloys, metallic oxides, and metallic by-products, specifically including metal products containing tungsten as defined in Supplementary Regulation 42 to the General Ceiling Price Regulation.

2. Paragraph (t) is amended to read as follows:

(t) All metal powders, specifically including powders containing tungsten as defined in Supplementary Regulation 42 to the General Ceiling Price Regulation.

3. Paragraph (w) is amended to read as follows:

(w) All cast, rolled, drawn, or extruded metals and alloys which have not been further fabricated, except cast iron soil pipe and fittings, cast iron water and gas pipe and fittings, and valve and pipe fittings, but specifically including metal products containing tungsten as defined in Supplementary Regulation 42 to the General Ceiling Price Regulation.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective on July 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8494; Filed, July 19, 1951; 4:00 p. m.]

[Ceiling Price Regulation 30, Amendment 5]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

EXCLUSION OF HARD FACING PRODUCTS CONTAINING TUNGSTEN AND PURE TUNGSTEN AND THORIATED TUNGSTEN PRODUCTS

Pursuant to the Defense Prohibition Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

The commodities named in this amendment were included in the coverage of Ceiling Price Regulation 30 because of their close relationship to major products covered by that regulation. However, they constitute a portion of the category of products for which an adjustment in ceiling prices is provided by Supplementary Regulation 42 to the General Ceiling Price Regulation, issued simultaneously herewith. Like other tungsten-bearing metal products covered by that supplementary regulation, none of them have been processed or fabricated beyond the stages of casting, rolling, drawing, grinding, swaging, cutting, bending, crushing or powdering, and the cost of tungsten in raw materials is one of the most important cost elements in their manufacture. For these reasons their ceiling prices should be permitted the same adjustment.

To accomplish this result and to avoid the confusion and price distortions which would otherwise occur, this amendment excludes these commodities from Ceiling Price Regulation 30 by making appropriate changes in Appendix A thereof.

AMENDATORY PROVISIONS

Appendix A of Ceiling Price Regulation 30 is amended in the following respects:

1. The item beginning "Metals and alloys * * *" is amended to read as follows:

Metals and alloys, special, electrical (except steel with less than 6 percent alloy content, in any fabricated form and pure tungsten or thoriated tungsten containing not less than 98 percent tungsten, rolled, drawn, ground or swaged, but not further fabricated other than by cutting or bending) used for electrical, magnetic, or glass-sealing purposes, including special contact alloys and special coated iron wire.

2. The item "Welding apparatus and supplies, electrical, including electrodes" is amended to read as follows:

Welding apparatus and supplies, electrical, including electrodes (except hard facing welding electrodes and other hard facing materials containing tungsten).

3. The item beginning "Welding and cutting apparatus * * *" is amended to read as follows:

Welding and cutting apparatus and supplies, gas, including generators, welding rods and welding wire (except hard facing welding rods, welding wire, and other hard facing materials containing tungsten).

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective July 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8495; Filed, July 19, 1951; 4:00 p. m.]

[Ceiling Price Regulation 51]

CPR-51 FOOD PRODUCTS SOLD IN PUERTO RICO

NOTICE OF SUSPENSION

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Congress), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Notice of Suspension of Ceiling Price Regulation 51 is hereby issued.

Notice of suspension. The operation of CPR-51 is hereby suspended indefinitely.

This notice of suspension is effective as of July 5, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8496; Filed, July 19, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 39]

GCPR, SR 39—RATE ADJUSTMENTS FOR CERTAIN CONTRACT MOTOR CARRIERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 39 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance on January 26, 1951, of the General Ceiling Price Regulation, which regulation froze the rates of all motor carriers, other than common carriers, at the righest rate charged for the same service during the base period, December 19, 1950, to January 25, 1951, it has become apparent that numerous motor carriers affected by that regulation are in need of relief in the form of increased rate adjustments occasioned by increased operating costs sustained since the early part of 1950. Many carriers are now operating under contracts entered into several years ago, and by reason of the provisions of the General Ceiling Price Regulation, are unable to adjust their contracts to reflect the increases in wages or costs of materials and equipment sustained during the latter part of 1950 and since that time.

This Supplementary Regulation affords a means for permitting necessary rate adjustments to motor carriers based upon a showing that the adjustment is necessary to permit the continuance of an essential service for which there is no adequate substitute available at a price equal to or less than the maximum price requested. In order to be eligible for adjustment, a carrier must show either substantial financial hardship in his over-all operations or that he is seeking the adjustment of the rates for a limited operation and that this operation does not yield him a return of the direct labor and materials costs.

This Supplementary Regulation applies to all motor carriers, other than common carriers, including motor carriers engaged in the transportation of milk in bulk in tank vehicles, but not including (1) motor carriers engaged in the performance of pick-up and delivery or local transfer service, or (2) motor carriers engaged in the transportation of liquid commodities, other than milk, in bulk in tank vehicles. Authority is delegated to Regional Directors of the Office of Price Stabilization to adjust rates upon individual application in cases where the carrier's operations are confined to a single state. Interstate operations are to be handled by the national office.

In the formulation of this supplementary regulation there has been consultation with the formal Industry Advisory Committee for Contract Carriers and other industry representatives, including trade association representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Applicability of supplementary regulation.
2. Adjustment of ceiling rates.
3. Disposition of Applications.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Applicability of supplementary regulation.* (a) This Supplementary Regulation provides a method for individual adjustment of the ceiling

rates of motor carriers affected hereby. It applies to all motor carriers except the following:

(1) Common carriers;

(2) Motor carriers engaged in the performance of "pick-up and delivery" or "local transfer service"; and

(3) Motor carriers engaged in the transportation of liquid commodities, other than milk, in bulk in tank vehicles.

(b) The provisions of this regulation are applicable to the 48 States of the United States and the District of Columbia.

(c) Except as modified herein, the provisions of the General Ceiling Price Regulation shall remain applicable to the carriers covered by this regulation.

SEC. 2. *Eligibility for adjustment.* A motor carrier affected by this Supplementary Regulation, or a user of a service supplied by such a carrier may apply for an adjustment of any ceiling rates upon a showing:

(a) That the adjustment is necessary to permit the continuance of an essential service for which there is no adequate substitute available at a rate equivalent to or lower than the ceiling rate requested; and

(b) Either of the following:

(1) That the carrier will suffer substantial financial hardship in his overall operations unless the adjustment is granted; or

(2) That the ceiling rates for a particular segment of the carrier's total operation which is the subject of the application do not permit the service to be performed at rates which will yield a return equivalent to the direct labor and material costs.

SEC. 3. *Extent of adjustment.* The Director of Price Stabilization will grant an increase in ceiling rates sufficient to bring the applicant up to a rate at which equivalent substitute carrier services are available but not higher than

(a) A rate which will result in a higher current ratio of net operating revenue to total revenue than that ratio enjoyed by the applicant or the prevailing ratio enjoyed by other carriers of the same type as the applicant during a representative period prior to June 24, 1950; or

(b) In the case of an applicant who seeks an adjustment for a segment of his total operation, a rate sufficient to yield a return of direct labor and material costs.

SEC. 4. *Where and how to apply for adjustment.* Applications for individual relief under this Supplementary Regulation shall be made by properly executing OPS Public Form No. 59 and by attaching thereto appropriate shipper certificates on OPS Public Form No. 59. Copies of these forms may be obtained from the Office of Price Stabilization, Washington 25, D. C., or any regional or district office thereof. All such applications shall be filed in duplicate, and shall be sent to the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., if interstate operations are involved, or to the appropriate District Office of OPS if the operations involved are conducted entirely within one state. Applications, if mailed, must be sent by registered mail, return receipt requested. The date on the return receipt will indicate the effective date of filing. If the application is delivered in person, receipt as to date of filing should be obtained from the OPS office receiving the application.

SEC. 5. *Disposition of applications*—(a) *OPS officials authorized to act.* Applications for adjustment will be handled to conclusion by the appropriate Regional Director of the Office of Price Stabilization in those cases which involve operations entirely within a single state; and the respective Regional Directors are hereby delegated authority to so act. Applications involving interstate operations will be handled to conclusion by the Director of Price Stabilization or by any official in the national office of the Office of Price Stabilization to whom the Director of Price Stabilization may delegate such authority.

(b) *Action by OPS.* Upon consideration of the application, the Director of Price Stabilization or any official of the Office of Price Stabilization having authority to act, will issue an order granting or denying, in whole or in part, the requested adjustment in rate, or may request such additional information as may be deemed necessary. If no action is taken within 30 days after the filing of the application or within 30 days after additional information has been supplied, the application shall be deemed to be approved. However, all approvals, whether made by affirmative action or by operation of the 30-day provision, are subject to revocation or modification by the Director of Price Stabilization at any time.

(c) *Effectiveness of adjustments.* Any increased rate requested under this Supplementary Regulation may be charged on open billing pending consideration of the application. Collection of any amount in excess of ceiling rates under the General Ceiling Price Regulation may not be made until an order has been issued (and then only to the extent permitted thereby) or until written notice of approval by the Office of Price Stabilization has been received, or until the 30-day waiting period has expired. After such time period, a carrier may collect the full adjusted amount retroactive to the date on which the application was filed or to the date on which he entered into any adjustable pricing contract under section 2 (a) of Supplementary Regulation 15 to the General Ceiling Price Regulation, as amended by Amendment 3.

(d) *Group adjustments.* In any case where a number of contract carriers are all engaged in the transportation of fruit, meat, vegetables, or milk, in a local area, the appropriate Regional Director of the Office of Price Stabilization may, upon express delegation of authority from the Director of Price Stabilization so to act, establish a group adjustment affecting all such carriers, provided individual applications on OPS Public Forms No. 59 are filed by a representative number of the carriers commonly engaged in handling that particular traffic, or by a user of such service.

Effective date. This Supplementary Regulation 39 to the General Ceiling Price Regulation shall become effective July 30, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8497; Filed, July 19, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 40]

GCPR, SR 40—ADJUSTMENT OF CEILING RATES FOR PICK-UP AND LOCAL TRANSFER SERVICE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 40 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

There are a great number of motor carriers who afford rail carriers, freight forwarders, express companies, line-haul motor carriers, water carriers and air carriers, service identified as "pick-up and delivery" or "local transfer" service. The "pick-up and delivery" service involves the local transportation of property between a terminal of a "line-haul carrier", on the one hand, and the premises of the consignee or consignor, on the other. The "local transfer" service consists of the local transportation of property moving through under "line-haul carriers' " published rates from one terminal of a "line-haul carrier" to another terminal of the same carrier or to that of another connecting "line-haul carrier". These services are provided under individual contracts extending over a period of a year or more and the charges for the services are adjusted from time to time as conditions may require.

By reason of increased costs in labor and materials during the past year, the "pick-up and delivery" and "local transfer" carriers are demanding increases in their charges for service as their contracts expire or as the parties are required to renegotiate the rate provisions contained in the continuing contracts. Many of the contracts which expired or were renegotiated prior to and during the base period, December 19, 1950, to January 25, 1951, were renewed at increased rates, or the rates under the continuing contracts were adjusted upward, by reason of the increased costs mentioned. By reason, however, of the provisions of the General Ceiling Price Regulation, those contracts which have expired or have come up for renegotiation since January 25, 1951, or those which will expire or be renegotiated in the future, cannot be adjusted to reflect increases in operating costs.

A majority of the "pick-up and delivery" and "local transfer" carriers are operators of small fleets of trucks. Many operate only one or two vehicles and their operations are performed at very low margins of profit. In many cases these small operators cannot continue to absorb the increases in costs and, as the contracts have expired or are renegotiated, the "line-haul carrier" is informed that the rates must be increased or the service will be discontinued. In many instances, the only carrier available to provide the "pick-up and delivery" or "local transfer" service is the carrier with whom the "line-haul carrier" currently has a contract.

In most instances where more than one "pick-up and delivery" or "local transfer" carrier is operating in a territory, the "line-haul carrier" has found it impossible to obtain service at rates lower than those requested by the carrier now providing the service. Consequently, the "line-haul carrier" is faced with a suspension or abandonment of service which would deprive the public of a necessary service and would result in higher costs to the shipping public.

Numerous "line-haul carriers" recognize the problem confronting the "pick-up and delivery" and "local transfer" carriers and are willing to grant the rate increases requested but, by reason of the General Ceiling Price Regulation, are prevented from paying rates in excess of those paid during the base period. Many of these "line-haul carriers," recognizing the necessity of maintaining the "pick-up and delivery" and "local transfer" service which has been provided for a number of years, have indicated a willingness to absorb any increased cost which might result from increasing the charges to be paid to the "pick-up and delivery" and "local transfer" carriers.

The stabilization program would not be unduly affected by the "line-haul carrier" absorbing increases in the rates paid "pick-up and delivery" and "local transfer" carriers and, in fact, the cost to the shipping public can be better stabilized by insuring that the "pick-up and delivery" and "local transfer" carriers presently affording service for the "line-haul carriers" are enabled to continue such service.

This Supplementary Regulation provides a means whereby "pick-up and delivery" and "local transfer" carriers or "line-haul carriers", finding themselves in the situation explained above, may make application to the Office of Price Stabilization for an adjustment in the rates and charges for "pick-up and delivery" or "local transfer" service. This regulation is applicable only to "pick-up and delivery" and "local transfer" service and will provide for adjustments in prices for such service only where the "line-haul carrier" is willing to absorb the increases proposed without requesting an increase in its rates or charges on account thereof. This regulation is restricted in its application so that no "pick-up and delivery" or "local transfer" carrier can be authorized an adjustment in its rates which would result in a higher ratio of net income to operating revenue than that realized during the pre-Korean period of 1950 by the applicant or the industry generally and no adjustment in rates or charges can be authorized without complete information being furnished the Office of Price Stabilization justifying the proposed increase.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this Supplementary Regulation are generally fair and equitable and will have no material effect on the cost of living or on the general level of prices.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Applicability.
3. Adjustments; when to be made; maximum allowed.
4. Applications; form; place to file; who may file.
5. Approval or denial of applications for adjustment; effectiveness; applicability to successors.
6. Definitions.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Purpose.* This supplementary regulation provides for the adjustment, under certain circumstances, of ceiling prices established by the General Ceiling Price Regulation for motor carriers, other than common carriers, engaged in performing "pick-up and delivery" or "local transfer" service.

SEC. 2. *Applicability.* (a) This regulation applies only to ceiling rates of motor carriers, other than common carriers, performing "pick-up and delivery" or "local transfer" services for "line-haul carriers", in the 48 States of the United States and the District of Columbia.

(b) Except as provided in this regulation, the carriers covered by this regulation shall remain subject to the provisions of the General Ceiling Price Regulation issued January 26, 1951 (16 F. R. 808).

SEC. 3. *Adjustment*—(a) *When adjustment may be made.* An adjustment in the ceiling rates established under the General Ceiling Price Regulation for the performance of "pick-up and delivery" and "local transfer" service may be approved by the Office of Price Stabilization in any case where, upon application filed in accordance with the provisions of section 4 of this regulation, it is shown that:

(1) The adjustment is necessary to effectuate the provisions of the Defense Production Act of 1950; and

(2) The actual cost of supplies and labor used in performing the service exceeds those costs during the "pre-Korean period" by an amount so large as to threaten the continued performance of the services; and

(3) The "line-haul carrier" cannot procure satisfactory performance of the service from the "applicant" or from any other motor carrier at rates lower than the requested rate; and

(4) The discontinuance of the service will result in higher transportation costs to shippers and consignees; and

(5) The "line-haul carrier" expressly agrees to pay and absorb the requested higher rate for "pick-up and delivery" or "local transfer" service, and states that it will not increase its own charges on that accouunt. (This statement is made without prejudice to the "line-haul carriers' " right to present for consideration by any regulatory authority, the increased cost resulting from the new "pick-up and delivery" or "local transfer" rates, together with any cost increases in any other future applications for a general rate increase based on revenue needs.); and

(6) The requested increased rate does not exceed the limit prescribed in subparagraph (b) immediately following.

(b) *Maximum adjustment allowed.* The Office of Price Stabilization may approve an increase in rates under this section up to a rate which will not result in a higher ratio of net operating revenue to total revenue than the applicant enjoyed in the "pre-Korean period" or the generally prevailing ratio enjoyed by pick-up and delivery and local transfer carriers in the locality during the "pre-Korean period".

SEC. 4. *Applications*—(a) *Form.* Applications for adjustments under this section shall be filed on OPS Public Form No. 60, or as subsequently revised, and shall contain all the information and statements called for in the form. Copies of these forms may be obtained from the Office of Price Stabilization, Washington 25, D. C., or from any OPS regional or district office.

(b) *Where to file.* Applications shall be filed, in duplicate, directly with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested. The date on the return receipt will be the official date of filing. If the application is filed in person, it must be filed with the docket clerk of the above-named Division and a receipt therefor obtained.

(c) *Who may file.* Applications under this section may be filed by the "pick-up and delivery", "local transfer" or "line-haul carrier".

SEC. 5. *Approval or denial of applications, effectiveness of adjustments, and applicability to successors.* (a) Upon consideration of the application, the Director of Price Stabilization or any official of the Office of Price Stabilization having authority to act, will issue an order granting or denying, in whole or in part, the requested adjustment in rate, or may request such additional information as may be deemed necessary. If no action is taken within 30 days after the filing of the application or within 30 days after additional information has been supplied, the application shall be deemed to be approved. However, all approvals, whether made by affirmative action or by operation of the 30-day provision, are subject to revocation or modification by the Director of Price Stabilization at any time.

(b) *Effectiveness of adjustments.* Any increased rate requested under this Supplementary Regulation may be charged on open billing pending consideration of the application. Collec-

tion of any amount in excess of ceiling rates under the General Ceiling Price Regulation may not be made until an order has been issued (and then only to the extent permitted thereby) or until written notice of approval by the Transportation, Public Utilities and Fuels Division of the Office of Price Stabilization has been received, or until the 30-day waiting period has expired. After such time period, a carrier may collect the full adjusted amount retroactive to the date on which the application was filed or to the date on which he entered into any adjustable pricing contract under section 2 (a) of Supplementary Regulation 15 to the General Ceiling Price Regulation, as amended by Amendment 3.

(c) *Applicability to successors.* The ceiling rate or rates for a given "pick-up and delivery" or "local transfer" service adjusted pursuant to this Supplementary Regulation shall continue to apply as the lawful ceiling rate for the same service performed by any transferee, subcontractor, or other carrier who may succeed to and operate that service. This rule applies regardless of whether there is a formal purchase of business and assets, etc., or whether the successor is merely a replacement supplying the service which has been abandoned or discontinued, for any reason, by the preceding "pick-up and delivery" or "local transfer" carrier.

SEC. 6. *Definitions.* (a) "Pick-up and delivery" means the local transportation of property between a terminal of a "line-haul carrier," on the one hand, and the premises of the consignee or consignor, on the other.

(b) "Local transfer" service means the local transportation of property which is moving through under "line-haul carriers' " published rates from one terminal of a "line-haul carrier" to another terminal of the same carrier or to that of another connecting "line-haul carrier".

(c) "Line-haul carrier" means any carrier, including rail carriers, motor carriers, water carriers, air carriers, freight forwarders and express companies, which performs a non-local transportation service between any two terminal points over its lines or routes.

(d) "Applicant" means the "pick-up and delivery", "local transfer" or "line-haul carrier" performing the services involved in the application.

(e) If the application is filed prior to August 1, 1951, (1) "current period" means the months of April, May and June 1951, and (2) "pre-Korean period" means the same three months of 1950 corresponding to that utilized by the applicant in specifying the "current period" in the application. If the application is filed after August 1, 1951, the "current period" means the six month period immediately preceding the filing of the application. The "pre-Korean period", in this instance, means the same calendar months in the year preceding June 30, 1950, as used in the current period.

Effective date. This Supplementary Regulation 40 to the General Ceiling Price Regulation is effective July 30, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

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[General Ceiling Price Regulation, Supplemental Regulation 42]

GCPR, SR 42—HIGH SPEED TOOL STEELS AND OTHER METAL PRODUCTS CONTAINING TUNGSTEN

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 42 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation increases by varying amounts the ceiling prices established by the General Ceiling Price Regulation for manufacturers of high speed tool steels and specialty steels containing tungsten; hard facing products containing tungsten; and pure tungsten and thoriated tungsten products.

The products covered by this regulation are basic industrial materials used in the manufacture of many articles essential in the civilian economy and the defense program. High speed tool steels containing tungsten and hard facing products have varied and widespread applications in the production of machine tools, drilling equipment, and tools and dies used in the cutting, forming, and shaping of metals while specialty steels containing tungsten are used principally in making magnet steel, aircraft engines, and military equipment. Pure tungsten and thoriated tungsten products are essential in the manufacture of a wide range of electrical and electronic equipment and devices. In view of the industrial and military importance of these products, their maximum production must be encouraged to the fullest extent possible consistent with the objectives of Title IV of the Defense Production Act of 1950.

The cost of tungsten concentrates, ferrotungsten, tungsten powder and other tungsten products used as raw materials is one of the most important cost elements in the manufacture of the products covered by this regulation. Data reflecting the operations of a representative cross-section of manufacturers during the period immediately preceding the outbreak of hostilities in Korea indicate that the cost of tungsten-bearing raw materials accounts for anywhere from 15 percent to 60 percent of their selling price. It appears, therefore, that if any substantial increase in the cost of such raw materials is not reflected in the prices, it is likely that manufacturers will be subject to a serious squeeze which might jeopardize production essential to our national defense.

The cost of tungsten-bearing raw materials used by the manufacturers of the products covered by this regulation has risen sharply since price ceilings were first imposed. The following table, compiled from information submitted by representative manufacturers, indicates the prices which were paid during the base period December 19, 1950 to January 25, 1951, inclusive, for the principal raw materials used in their operations:

Material	Use	Price paid
Tungsten concentrates	To manufacture high speed tool and specialty steels.	$28.50 to $65 per short ton unit.
Ferrotungsten	To manufacture high speed tool and specialty steels.	$3.25 to $3.75 per pound of tungsten contained.
Carbon-reduced tungsten powder	To manufacture hard facing products	$4.15 per pound.
Hydrogen-reduced tungsten powder.	To manufacture pure tungsten or thoriated tungsten products.	$4.12 to $5.95 per pound.

Ceiling Price Regulation 19—Tungsten Concentrates, effective April 6, 1951, established a ceiling price of $65.00 per short ton unit for tungsten concentrates while Ceiling Price Regulation 33—Ferrotungsten, Tungsten Metal Powder, and Other Tungsten Products, effective May 7, 1951, established ceiling prices of $5.00 per pound of contained tungsten for ferrotungsten, $6.00 per pound for carbon-reduced tungsten metal powder, and $7.75 per pound for hydrogen-reduced tungsten metal powder. Thus the prices paid for their principal raw materials by manufacturers of the products covered by this regulation have increased anywhere from 45 to 120 percent since the issuance of the General Ceiling Price Regulation. In view of these circumstances and the importance of raw materials costs in relation to the total cost of producing these products, it is necessary, in order to avoid any interruption in output, to increase the ceiling prices for such products to reflect at least in some measure the increases in costs which have been sustained.

The adjustments in ceiling prices made by this regulation will allow manufacturers to recover most, if not all, of the increase in tungsten bearing raw material costs sustained since the base period of the General Ceiling Price Regulation. Although precise information by which to measure the effect of this action upon all manufacturers is not available, it appears that the relief granted will enable them to obtain margins over costs of tungsten-bearing raw materials approximating those which they received during the base period and will be sufficient, for the time being, to permit continued output at the high levels required by our defense program. The action taken in this regulation is an interim measure and the Office of Price

Stabilization will undertake, in the near future, a study of the operations of the manufacturers of the products covered by this regulation to determine whether any change in the ceiling prices herein established should be made under the policies and objectives of the Defense Production Act of 1950.

Some of the products covered by this regulation heretofore have been included in Ceiling Price Regulation 22—Manufacturers' General Ceiling Price Regulation, and Ceiling Price Regulation 30—Machinery and Related Manufactured Goods, but these regulations have been amended so that these products are now all covered by this Supplementary Regulation to the General Ceiling Price Regulation.

Although most of the output of the products covered by this regulation are sold by the manufacturers directly to consumers, certain quantities are handled by resellers. Since such resellers generally have margins too small to permit absorption of any of the increase in manufacturers' ceiling prices granted by this regulation, appropriate provisions are set forth therein to permit resellers to adjust their ceiling prices by the dollars-and-cents amount of the increase granted by this regulation in the ceiling prices of the manufacturers from whom they obtain their supplies.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this supplementary regulation, the Director consulted with industry representatives and has given consideration to their recommendations.

The provisions of this supplementary regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Adjustments in manufacturers' ceiling prices.
3. Adjustments in resellers' ceiling prices.
4. Manufacturers' notice to resellers.
5. Definitions.
6. Miscellaneous.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* (a) This supplementary regulation increases the ceiling prices established by the General Ceiling Price Regulation for sellers of the following products:

(1) High speed tool steels and specialty steels containing tungsten.

(2) Hard facing products containing tungsten.

(3) Pure tungsten and thoriated tungsten products.

(b) If you are a manufacturer of any such products, you must give resellers notice of the increase in your ceiling prices as required by section 4 of this regulation.

SEC. 2. *Adjustments in manufacturers' ceiling prices.* If you are a manufacturer of any of the products covered by this supplementary regulation, your ceiling price for any such product is the ceiling price determined in accordance with the provisions of the General Ceiling Price Regulation plus the applicable amount set forth in this section.

(a) For high speed tool steels and specialty steels containing tungsten, $0.015 for each 1 percent of tungsten content for each pound of product.

(b) For hard facing products containing tungsten, $0.0205 for each 1 percent of tungsten content for each pound of product.

(c) For pure tungsten and thoriated tungsten products, an amount determined in the manner set forth below. The prices you use in making these calculations must not exceed the ceiling prices applicable under any ceiling price regulation issued by the Office of Price Stabilization.

(1) Subtract the weighted average unit cost of the tungsten-bearing material used by you in manufacturing your product during the base period December 19, 1950, to January 25, 1951, inclusive, from the current unit cost (not including transportation costs) of the same kind of material as shown on the invoice for the first delivery of such material to you after May 7, 1951;

(2) Divide the resulting figure by the weighted average unit cost of the material used during the base period;

(3) Multiply the weighted average unit cost of the material used during the base period by the quantity of such material used during the base period to produce a unit of your product; and

(4) Multiply the percentage figure obtained from the calculation described in subparagraph (2) of this paragraph by the value obtained from the calculation in subparagraph (3) of this paragraph.

Example: Assume that during the base period December 19, 1950, to January 25, 1951, inclusive, your weighted average unit cost of hydrogen-reduced tungsten metal powder used in manufacturing 30 mil black drawn tungsten wire, ±3% weight tolerance, was $3.50 per pound and that your current unit cost of the same powder is $6.25 per pound. $6.25 minus $3.50 equals $2.75. $2.75 divided by $3.50 equals 78.57%. Assume also that during the base period you used 3.20 pounds of hydrogen-reduced tungsten metal powder to manufacture one kilogram of rod. $3.50 (your base period weighted average unit cost) multiplied by 3.20 equals $11.20. Then 78.57% times $11.20 equals $8.80. If your ceiling price under the General Ceiling Price Regulation for the 30 mil wire was $13 per Kilogram, your new ceiling price is $21.80 per Kilogram ($13 plus $8.80).

SEC. 3. *Adjustments in resellers' ceiling prices.* (a) If you are a reseller of any of the products covered by this regulation, your ceiling price for any such product is the ceiling price determined in accordance with the provisions of the General Ceiling Price Regulation plus the amount of the increase, determined in accordance with section 2 of this regulation, in the ceiling price of the manufacturer from whom you purchase such product.

(b) You may charge the ceiling price established in paragraph (a) of this section for any products received by you after the manufacturer has put into effect an increase in price pursuant to section 2 of this regulation.

SEC. 4. *Manufacturers' notice to resellers.* If you are a manufacturer of any of the products covered by this regulation, you must notify in writing any person who purchases such product from you for resale of the exact amount of the increase in your ceiling price authorized by this regulation. Such notice must be given in connection with your first delivery of any such product to such reseller after the effective date of this regulation and for which you have put into effect an increase in price pursuant to section 2 of this regulation.

SEC. 5. *Definitions.* When used in this supplementary regulation, the term:

(a) "High speed tool steels and specialty steels containing tungsten" includes any cast, rolled, or drawn steel which has not been further fabricated and which contains tungsten and other alloys. It also includes such steel in billet form or shapes produced from ingot by hammering or pressing.

(b) "Hard Facing products" includes any cast, crushed, powdered, rolled or drawn tungsten carbides or cobalt or nickel base alloys containing tungsten, which are not further fabricated and which are spread over the surface of base metal by melting. It also includes crushed particles of such materials contained in steel tubes.

(c) "Pure tungsten and thoriated tungsten products" includes any rolled, drawn, ground, or swaged product containing not less than 98 percent tungsten and which has not been fabricated other than by cutting or bending.

(d) "Weighted average unit cost" means the cost per unit of material determined by dividing the total amount paid to your supplier or suppliers for material used by you during the period from December 19, 1950, to January 25, 1951, inclusive, by the total amount of material so used. Transportation costs paid by you may not be included in making this calculation.

SEC. 6. *Miscellaneous.* Any person who sells any product covered by this supplementary regulation shall be subject to all provisions of the General Ceiling Price Regulation which are not inconsistent with the provisions of this

regulation, including, but not limited to the enforcement and penalty provisions thereof, and the requirement of keeping on file for inspection a statement of his ceiling prices.

Effective date. This Supplementary Regulation 42 to the General Ceiling Price Regulation shall become effective on July 19, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 19, 1951.

[F. R. Doc. 51-8499; Filed, July 19, 1951; 4:00 p. m.]

Chapter XIV—General Services Administration

MANGANESE REGULATION; PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT DEMING, N. MEX.

Sec.
1. Basis and purpose.
2. Definitions.
3. Participation in the Program.
4. Deliveries.
5. Duration of the Program.
6. Price schedule for ore.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 303, Pub. Law 774, 81st Cong., sec. 303, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Basis and purpose.* This regulation interprets and implements the authority of the Administrator of General Services to purchase manganese ore of domestic origin at Deming, New Mexico, for the fical years 1952–56, as authorized by the Defense Production Administration on June 20, 1951, and outlines the attendant responsibilities and functions of the Administrator of General Services in purchasing such manganese ore for the Government. In accordance with the Program set forth herein, the Administrator will buy domestically produced manganese ore containing not less than 15 percent manganese, in accordance with the specifications contained in this regulation.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Administrator" means the Administrator of General Services.

(b) "Program" means the purchase of manganese ore as set forth in this regulation.

(c) "Depot" means the purchase depot of the Government at Deming, New Mexico.

(d) "Manganese ore" means crude ore containing not less than 15 percent manganese, mined in the United States, its Territories and possessions.

(e) "Long ton unit of manganese" means 22.4 pounds of manganese contained in a long dry ton of manganese ore.

SEC. 3. *Participation in the Program.* Any person may participate in the Program by notice given to the General Services Administration Regional Office, Building 1–C, Denver Federal Center, Denver, Colorado, in the form of a letter, postcard or telegram postmarked or dated by the telegraph office not later than September 15, 1951. Such notice shall state that the writer desires to participate in the Program and will deliver manganese ore to the depot. Such notice must be signed and a return address given. Any person participating in the Program will promptly be sent a certificate authorizing ihm to deliver manganese ore meeting minimum specifications.

SEC. 4. *Deliveries.* Manganese ore to be purchased by the Government under the Program is to be delivered f. o. b. depot. Delivery of less than five (5) long tons of ore at one time will not be accepted. Participants in the Program must give the Government reasonable notice with respect to deliveries of ore. Each delivery will be sampled and assayed by the Government at the depot and payment on an estimated recovery basis will be made in accordance with the analysis of such sample and as provided in section 6 below. Deliveries not conforming to the minimum specifications will be rejected, and expenses in connection therewith will be borne by the seller.

SEC. 5. *Duration of the Program.* This Program shall terminate and be of no further force or effect when six million (6,000,000) contained long ton units of manganese have been delivered to the depot and accepted by the Government under this Program, or at the close of business June 30, 1956, whichever first occurs.

SEC. 6. *Price schedule for ores.* The following prices per long dry ton will be paid for manganese ore delivered f. o. b. depot. Where the fractional manganese content is 0.5 percent or below, payment will be made as though no fractional content were involved. Where such fractional content is 0.51 percent or above, payment will be made at the next higher figure.

Percent Mn in ore:	*To be paid for 1 long dry ton*	Percent Mn in ore:	*To be paid for 1 long dry ton*
15	$6.10	29	$32.15
16	7.60	30	34.60
17	9.15	31	37.45
18	10.65	32	40.30
19	12.20	33	43.15
20	13.70	34	46.00
21	15.40	35	48.85
22	17.10	36	53.00
23	18.85	37	57.10
24	20.55	38	61.25
25	22.25	39	65.35
26	24.70	40 fines	69.50
27	27.20	40 ore	76.00
28	29.65		

For lots received at a rate of more than 200 tons during any 30-day period the final payment shall be adjusted either up or down according to the laboratory-determined recoverability of specific lots of ore from individual shippers. The payment will be based on a rate of $2 per long ton unit of manganese contained in a beneficiated product acceptable to industry, and subject to the specifications, premiums, and penalties set forth below.

SPECIFICATIONS

	Percent
Manganese	48.0
Iron	6.0
Silica plus Alumina	11.0
Phosphorus	.12

PREMIUMS

Manganese content above 48.0 percent (dry basis); ½ cent for each 1.0 percent.

Iron content below 6.0 percent (dry basis); ½ cent for each 1.0 percent.

PENALTIES

Manganese content below 48.0 percent (dry basis); 1 cent for each 1.0 percent, down to and including 44.0 percent. Below 44.0 percent; 4 cents, plus 1½ cents for each 1.0 percent down to 40.0 percent minimum. Iron content above 6.0 percent (dry basis); 1 cent for each 1.0 percent, up to and including 8.0 percent. Above 8.0 percent; 2 cents plus ¾ cent for each 1.0 percent up to 16 percent maximum. Silicia plus alumina content above 11.0 percent (dry basis); 1 cent for each 1.0 percent up to 15 percent maximum. Phosphorus content above 0.12 percent (dry basis); ½ cent for each 0.01 percent up to 0.3 percent maximum.

The Government will reject any lot which, on the basis of the laboratory testing, cannot be beneficiated to a product the chemical analysis of which falls within the following limits in all respects. The Government reserves the right to dispense with laboratory testing of shipments aggregating less than 200 tons over a 30-day period.

	By weight (dry basis) (percent)
Manganese (Mn)	40.0 min.
Iron (Fe)	16.0 max.
Silica plus alumina (SiO_2 plus Al_2O_3).	15.0 max.
Phosphorus (P)	0.30 max.
Copper plus lead plus zinc (Cu plus Pb plus Zn).	[1] 1.00 max.

[1] Of which not more than 0.25 percent may be copper.

Dated: July 19, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-8529; Filed, July 20, 1951; 8:46 a. m.]

MANGANESE REGULATION: PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT BUTTE AND PHILIPSBURG, MONT.

Sec.
1. Basis and purpose.
2. Definitions.
3. Participation in the Program.
4. Deliveries.
5. Duration of the Program.
6. Price schedule for ore.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 303, Pub. Law 774, 81st Cong., sec. 303, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Basis and purpose.* This regulation interprets and implements the authority of the Administrator of General Services to purchase manganese ore of domestic origin at Butte, Montana, and at Philipsburg, Montana, for the fiscal years 1952–56, as authorized by the Defense Production Administration on June 27, 1951, and outlines the attendant responsibilities and functions of the Administrator of General Services in purchasing such manganese ore for the Government. In accordance with the Program set forth herein, the Adminis-

trator will buy domestically produced manganese ore. Such ore shall contain not less than 15 percent manganese in the case of manganese ore delivered at Philipsburg, or 12 percent in the case of manganese ore delivered at Butte, in accordance with the specifications contained in this regulation.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Administrator" means the Administrator of General Services.

(b) "Program" means the purchase of manganese ore as set forth in this regulation.

(c) "Depot" means the purchase depots of the Government at Butte, Montana and at Philipsburg, Montana.

(d) "Manganese ore" means crude ore from production of ore containing not less than 90 percent of the manganese as carbonate, mined in the United States, its Territories and possessions.

(e) "Long ton unit of manganese" means 22.4 pounds of manganese contained in a long dry ton of manganese ore.

SEC. 3. *Participation in the Program.* Subject to the last sentence of this section, any person may participate in the Program by notice given to the General Services Administration Regional Office, United States Courthouse, Seattle 4, Washington, in the form of a letter, postcard or telegram postmarked or dated by the telegraph office not later than September 15, 1951. Such notice shall state that the writer desires to participate in the Program and will deliver manganese ore to either or both of the depots, giving the estimated monthly rate of delivery. Such notice must be signed and a return address given. Any person participating in the Program will promptly be sent a certificate authorizing him to deliver manganese ore meeting minimum specifications. Since the purpose of the program is to obtain from marginal or submarginal sources manganese ore which would not otherwise be produced, the Government reserves the right to exclude presently established production of manganese ore from participation in the program.

SEC. 4. *Deliveries.* Manganese ore to be purchased by the Government under this Program is to be delivered f. o. b. depot. Delivery of less than five (5) long tons of ore at one time will not be accepted. Participants in the Program must give the Government reasonable notice with respect to deliveries of ore. Each delivery will be sampled by the Government at the depot and payment will be made in accordance with the analysis of such sample, as provided in section 6 below. Deliveries not conforming to the minimum specifications will be rejected, and expenses in connection therewith will be borne by the seller.

SEC. 5. *Duration of the Program.* This Program shall terminate and be of no further force or effect when six million (6,000,000) contained long ton units of manganese have been delivered to the depots and accepted by the Government under this Program, or at the close of business June 30, 1956, whichever first occurs.

SEC. 6. *Price schedule for ore.* Payment for manganese ore delivered f. o. b. depot shall be made on the basis of the following table:

Percent of manganese in ore	To be paid for 1 long dry ton delivered f. o. b. depot, Philipsburg	To be paid for 1 long dry ton delivered f. o. b. depot, Butte
12		$6.05
13		7.59
14		9.46
15	$6.43	11.43
16	8.72	13.43
17	10.75	16.27
18	12.79	19.01
19	15.04	21.46
20	17.22	23.62
21	19.04	25.21
22	20.89	26.80
23	22.73	28.41
24	24.62	30.07
25	26.53	31.74
26	28.39	33.54
27	29.90	35.35
28	31.50	37.11
29	33.21	38.76
30	34.81	40.42

The following premiums and penalties will be paid:

(a) For each 1 percent of iron as oxide in excess of 3 percent, a penalty of ½ of 1 percent manganese shall be imposed.

(b) For each 1 percent of calcium oxide plus magnesium oxide in excess of 9 percent, a penalty of 1 percent manganese shall be imposed.

(c) A credit of 0.25 percent manganese shall be allowed for each 1 percent of calcium oxide plus magnesium oxide below 7 percent, provided, this credit does not apply to Butte ore containing more than 15 percent manganese. In addition, payment for any gold, silver, lead, or zinc contained in the manganese ore shall be made on the basis of the following tables:

GOLD

No pay if 0.03 ounce or less (per short dry ton).

0.031 ounce to 0.05 ounce—pay for 20 percent at $30 per ounce.

0.051 ounce to 0.10 ounce—pay for 30 percent at $30 per ounce.

0.101 ounce to 0.15 ounce—pay for 40 percent at $30 per ounce.

0.151 ounce to 0.20 ounce—pay for 50 percent at $30 per ounce.

0.201 ounce to 0.25 ounce—pay for 60 percent at $30 per ounce.

SILVER

No pay if 2.0 ounces or less (per short dry ton).

2.1 ounces to 5.0 ounces—pay for 30 percent at market price.

5.1 ounces to 7.5 ounces—pay for 45 percent at market price.

7.6 ounces to 10.0 ounces—pay for 60 percent at market price.

Over 10.1 ounces—pay for 60 percent at market price.

LEAD

No pay if 1.0 percent or less (per short dry ton).

1.1 percent to 2.0 percent—pay for 40 percent at market less 2 cents.

2.1 percent to 3.0 percent—pay for 45 percent at market less 2 cents.

3.1 percent to 4.0 percent—pay for 50 percent at market less 2 cents.

4.1 percent to 5.0 percent—pay for 55 percent at market less 2 cents.

5.1 percent and over—pay for 60 percent at market less 2 cents.

NOTE: Payments shall be made only for lead occurring as sulfide. Oxide lead content shall be deducted from total lead content to determine sulfide lead content. Should oxide lead content exceed one-third of total lead content, no lead payment shall be made.

ZINC

No pay if 1 percent or less (per short dry ton).

1.1 percent to 2.0 percent—pay for 30 percent at ½ market price.

2.1 percent to 3.0 percent—pay for 35 percent at ½ market price.

3.1 percent to 4.0 percent—pay for 40 percent at ½ market price.

4.1 percent to 5.0 percent—pay 45 percent at ½ market price.

5.1 percent and over—pay for 50 percent at ½ market price.

NOTE: Oxide zinc content shall be deducted from total zinc content to determine sulfide zinc content. Should oxide zinc content be 10 percent or more of total, no zinc payment shall be made.

Dated: July 19, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-8530; Filed, July 20, 1951; 8:46 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent. Reg., Amdt. 388]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 383]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MICHIGAN

Amendment 388 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 383 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respect:

In Schedule A, all of Item 149 which relates to Washtenaw County, Michigan, is deleted.

This decontrols (1) the City of Ann Arbor in Washtenaw County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the Township of Ann Arbor in said Washtenaw County, a portion of said Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective July 21, 1951.

Issued this 18th day of July 1951.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 51-8470; Filed, July 20, 1951; 8:54 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

ADEN (INCLUDING KAMARAN AND PERIM)

In § 127.201 *Aden (including Kamaran and Perim)* strike out subparagraph (7) of paragraph (a).

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372.)

[SEAL] J. W. DONALDSON, *Postmaster General.*

[F. R. Doc. 51-8422; Filed, July 20, 1951; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1793]

PART 233—FLATHEAD IRRIGATION PROJECT, MONTANA

MISCELLANEOUS AMENDMENTS

Sections 233.9, 233.14, 233.16 and 233.28 are amended to read as follows:

§ 233.9 *Amendatory farm-unit plats.* When the plats describing the amended farm units are approved by the project engineer, he will forward two copies of the amendatory plat together with the assignment and accompanying showings to the land office, where the amendatory plat will be treated as an official amendment of the farm-unit plat, and one copy will be forwarded by the manager to the Regional Administrator, together with the assignment and accompanying showings. A copy of the amendatory plat will also be forwarded promptly by the project engineer to the Area Director, Bureau of Indian Affairs, Billings, Montana, for formal approval.

§ 233.14 *Notation of mortgage interest; effect of notation.* Every such notice of mortgage interest, filed as provided in the preceding section, must be forthwith noted upon the records of the project engineer, and of the land office, and be promptly reported to the Area Director, Bureau of Indian Affairs, and to the Regional Administrator, where like notation will be made. Relinquishment of a homestead entry, or part thereof, within the project, upon which final proof has been submitted, where the records show the land to have been mortgaged, will not be accepted or noted, unless the mortgagee joins therein; nor will an assignment of such entry, or part thereof, under the act of July 17, 1914 (38 Stat. 510; 43 U. S. C. 593), extending to the Flathead project the provisions of the act of June 23, 1910 (36 Stat. 592; 43 U. S. C. 441), be recognized or permitted unless the assignment specifically refers to such mortgage and is made and accepted subject thereto.

§ 233.16 *Payment of appraised price and reclamation of land necessary.* All homestead entrymen within the Flathead project must, in addition to paying the appraised value of the land and water-right charges, reclaim at least one-half of the total irrigable area in their entries for agricultural purposes. Failure to make any two payments of the appraised price when due or to reclaim the land as above indicated, or any failure to comply with the requirements of the homestead law and the acts authorizing the construction of the Flathead project as to residence, cultivation, improvement, and payments, will render the entry subject to cancellation, and the money paid subject to forfeiture, whether water-right application has been made or not. Failure to make any two payments of the installments of water-right charges when due will render such entries subject to cancellation; and upon receipt of a statement from the Area Director, Bureau of Indian Affairs, that two of such payments remain due and unpaid, after proper service of notice upon the entryman and upon the mortgagee, if any such there be of record, the date and manner of service being stated, the entry will, without further notice, be canceled by the Regional Administrator.

§ 233.28 *When lien in patent will be released.* The Area Director, Bureau of Indian Affairs, will, upon the full payment of all building and betterment charges by any water user, issue certificate of the full payment of such charges releasing the lien therefor reserved in the patent under the act of August 9, 1912.

(Sec. 15, 35 Stat. 450)

OSCAR L. CHAPMAN, *Secretary of the Interior.*

JULY 16, 1951.

[F. R. Doc. 51-8418; Filed, July 20, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Parts 903 and 921]

[Docket No. AO 10-A15]

ST. LOUIS AND SPRINGFIELD, MO., MILK MARKETING AREAS

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Chase Hotel, St. Louis, Missouri, beginning at 10:00 a. m., c. d. s. t., August 8, 1951, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area (7 CFR Part 903 et seq.). These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area were proposed, as enumerated below. Proposal No. 1 relative to the enlargement of the marketing area raises the issue as to whether the provisions of the present order would tend to effectuate the declared policy of the act if applied to the marketing area as proposed to be extended, and if not, what modifications of the classification, pricing (including all differentials) and payment provisions of the order, as amended, are appropriate to effectuate the declared policy of the act.

In view of the evidence submitted and arguments presented at a recent hearing (June 7-8, 1951) at Springfield, Missouri, on proposed amendments to the order regulating the handling of milk in the Springfield, Missouri, marketing area (7 CFR Part 921) to the effect that the class prices under the Springfield order should be directly related to the class prices under the St. Louis order evidence will also be received at this hearing relative to such issue.

By Sanitary Milk Producers:

1. Amend § 903.1 (e) to read as follows:

(e) "St. Louis, Missouri marketing area", hereinafter called the "marketing area", means the territory within the corporate limits of the City of St. Louis and the territory within St. Louis County, Missouri; and the territory within Scott Military Reservation, East St. Louis, Centreville, Canteen, and Stites Townships, and the City of Belleville in St. Clair County, Illinois.

2. Delete § 903.1 (g) and substitute therefor the following:

(g) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk, under a dairy farm permit or rating issued by the appropriate health authority in the marketing area for the production of Grade A or Grade B raw milk, which is:

(1) Received at a city plant;

(2) Received at a qualifying country plant; or

(3) Diverted from a city plant or qualifying country plant to any other milk distributing or milk manufactur-

ing plant for the account of a handler. As used herein, such "dairy farm permit or rating" means one issued by any of the health authorities duly authorized to administer regulations governing the quality of milk disposed of in the marketing area.

3. Delete § 903.1 (h) and substitute therefor the following:

(h) "City Plant" means a plant at which milk is received from producers, from a qualifying country plant, or a non-qualifying country plant; and which plant processes and packages Class I milk, any portion of which is disposed of in the marketing area to wholesale or retail outlets, including plant stores.

4. Delete § 903.1 (i) and substitute therefor the following:

(i) "Qualifying Country Plant" means a plant at which milk is received from farmers who produce milk under a dairy farm permit or rating issued by the appropriate health authority in the marketing area for the production of Grade A or Grade B raw milk, and which plant furnishes milk, skim milk, or cream to a city plant in an amount representing 50 percent or more of the volume of milk received at such plant from such farmers during any delivery periods: *Provided*, That if such plant is a qualifying country plant for four or more of the delivery periods of July through December of any year, upon application by the plant in writing to the Market Administrator before December 31 of such year, such plant shall be allowed to retain status as a qualifying country plant for the delivery periods of January through June next following.

5. Delete § 903.1 (j) and substitute therefor the following:

(j) "Handler" means a person who operates a city plant, a qualifying country plant, or a non-qualifying country plant.

6. Delete § 903.1 (n) and substitute therefor the following:

(n) "Other Source milk" means all skim milk and butterfat transferred in any form by a producer-handler to a handler, and all skim milk and butterfat received in any form from a source other than a producer, a city plant, or a qualifying country plant, except that it shall not include any Class II non-fluid milk product which is received and disposed of in the same form.

7. Add as § 903.1 (o) the following:

(o) "Non-qualifying country plant" means a plant at which milk is received from farmers and which furnishes milk, skim milk, or cream to a city plant but which is not a qualifying country plant: *Provided*, That such definition shall not be applicable to plants subject to another federal milk marketing order issued for another milk marketing area under the act.

8. Add as § 903.1 (p) the following:

(p) "Cooperative Association" means any cooperative marketing association of producers which the Secretary determines to be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act", and to have full authority in the sale of milk of its members, and to be engaged in making collective sales or marketing milk or its products for its members.

9. Delete § 903.2 (c) (10) and substitute therefor the following:

(10) Publicly announce on or before the 6th day of each delivery period

(i) The minimum price for Class I milk pursuant to § 903.5 (b) (1), and the Class I butterfat differential pursuant to § 903.5 (d) (1), both for the current delivery period; and the minimum price for Class II milk pursuant to § 903.5 (b) (2) and the Class II butterfat differential pursuant to § 903.5 (d) (2), both for the previous delivery period; and

(ii) On or before the 10th day after the end of such delivery period, the uniform price for each handler pursuant to § 903.7 (b) and the producer butterfat differential pursuant to § 903.8 and any adjustments pursuant to § 903.7 (b) (3) and (4).

10. Delete § 903.3 (a) (1) and substitute therefor the following:

(1) The quantities of skim milk and butterfat contained in all receipts at each of his city plants, qualifying country plants, and non-qualifying country plants within such delivery period of

(i) Milk from producers (including his own farm production);

(ii) Milk, skim milk, cream, and milk products from other city plants and regulated country plants, and

(iii) Other source milk.

11. Delete § 903.4 and substitute therefor the following:

§ 903.4 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat received by a handler at his qualifying country plant(s) and city plant(s) in (1) Milk from producer (including milk of his own production) (2) Milk, skim milk, cream, and other products from other qualifying country plants or city plants, and (3) Other source milk, shall be classified by the Market Administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs (c), (d), (e), and (f) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be skim milk (including reconstituted skim milk and butterfat):

(i) Disposed of in fluid form as milk, skim milk, buttermilk, milk drinks (whether plain or flavored), cream (fresh, frozen, and sour, including aerated products):

(ii) Disposed of as concentrated (including frozen) milk, flavored milk, or flavored milk drinks, not sterilized;

(iii) Any milk product except cottage cheese, ice cream, and ice cream mix which is required by the appropriate health authorities in the marketing area to be made from Grade A or Grade B raw milk; and

(iv) Not specifically accounted for as Class II milk.

(2) Class II milk shall be skim milk and butterfat accounted for:

(i) As having been used or disposed of in any product other than those specified in Class I milk;

(ii) In actual plant shrinkage of skim milk and butterfat in milk received from producers, but not in excess of 2 percent of such receipts of skim milk and butterfat respectively; and

(iii) As actual plant shrinkage of skim milk and butterfat in other source milk: *Provided*, That if milk from producers and other source milk are both received during the same delivery period in a qualifying country plant or a city plant, the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and to other source milk shall be computed pro rata according to the proportions of the volume of skim milk and butterfat, respectively, received from such source to their total.

(c) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the Market Administrator that such skim milk or butterfat should be classified in another class.

(2) Any skim milk or butterfat classified in one class shall be reclassified if used, or reused, by such handler or by another handler (except a producer-handler) in another class.

(d) *Transfers.* (1) Skim milk or butterfat disposed of in the form of milk, skim milk, or cream by transfer or diversion from a city plant of a handler to any other city plant or qualifying country plant of another handler (except a producer-handler) shall be classified as Class I milk unless utilization in another class is mutually indicated in writing to the Market Administrator by both handlers on or before the 7th day after the end of the delivery period within which such transaction occurred, in which case such skim milk or butterfat shall be classified according to such mutual agreement: *Provided*, That skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee handler after the subtraction of other source milk pursuant to paragraph (f) of this section, and any excess of such skim milk or butterfat, respectively, shall be assigned to Class I milk.

(2) Skim milk or butterfat disposed of in the form of milk, skim milk, or cream by transfer or transfer of title from a qualifying country plant of a handler to another qualifying country plant or a city plant of another handler (except a producer-handler) shall be classified as Class I milk unless utilization in another class is mutually indicated in writing to the Market Administrator by both handlers on or before the 7th day after the end of the delivery period within which such transaction occurred; in which case such skim milk or butterfat shall be classified according to such mutual agreement: *Provided*, That the amount of skim milk or butterfat classified as Class I milk pursuant to

this subparagraph shall be limited to the amount computed pursuant to paragraph (f) (1) (vii) of this section.

(3) Skim milk or butterfat disposed of in the form of milk, skim milk, or cream by transfer or diversion from a qualifying country plant or a city plant of a handler to a city plant of a producer-handler shall be classified as Class I milk.

(4) Skim milk or butterfat disposed of in the form of milk, skim milk, or cream by transfer or diversion from a qualifying country plant or city plant of a handler to any plant other than a city plant, a qualifying country plant, or non-qualifying country plant of a handler, or a non-handler shall be classified as Class I milk unless

(i) The transferee plant is located within 110 airline miles from the City Hall in St. Louis, Missouri, or in the counties of Phelps, Dent, Pulaski, Texas, Howell, Laclede, Wright, Dallas, Webster, Polk, Greene, Christian, Lawrence, Miller, Morgan, Petis, Barry, or Cedar in the State of Missouri, and the handler claims another class on the basis of utilization mutually indicated in writing to the Market Administrator by both the handler and the operator of the transferee plant on or before the 7th day after the end of the delivery period within which such transaction occurred;

(ii) The operator of the transferee plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the Market Administrator for the purpose of verification; and

(iii) Not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statment in which case such skim milk and butterfat shall be classified according to such mutual agreement: *Provided,* That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use, the remaining pounds shall be classified as Class I milk.

(5) Skim milk or butterfat disposed of in the form of milk, skim milk, or cream from a plant of a handler to retail establishments which dispose of milk, skim milk, or cream for both fluid and other uses shall be Class I milk: *Provided,* That skim milk and butterfat contained in milk, skim milk, or cream so disposed of in bulk to retail establishments which under the applicable health regulations are permitted to receive milk, skim milk, or cream other than of Grade A quality for non-fluid purposes shall be classified as Class II milk if used or disposed of by such establishment in other than fluid form provided that the Market Administrator is allowed to verify such use or disposition.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period the Market Administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat respectively in Class I milk and Class II milk for such handler.

(f) *Allocation of skim milk and butterfat classified.* The pounds of skim milk and butterfat remaining in each class after making the following computations for each handler for each delivery period shall be the pounds of skim milk and butterfat in such class allocated to producer milk received by such handler during such delivery period.

(1) Skim milk shall be allocated as follows:

(i) Subtract from the total pounds of skim milk in Class II milk the plant shrinkage of skim milk in milk received from producers computed pursuant to paragraph (b) (2) (ii) of this section;

(ii) Subtract from the pounds of skim milk remaining in each class in series beginning with Class II milk the pounds of skim milk in other source milk;

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from city plants of other handlers and assigned to such class: *Provided,* That if the pounds of skim milk to be subtracted from Class II milk are greater than the pounds of skim milk remaining in such class the balance shall be subtracted from the pounds of skim milk remaining in Class I milk;

(iv) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from a qualifying country plant of another handler and assigned to such class: *Provided,* That the pounds of skim milk to be subtracted from Class I milk shall not exceed its pro-rata share of the volume of skim milk allocated to Class I milk and Class II milk after the subtraction of receipts of other source milk and receipts from city plants of other handlers;

(v) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subdivision (i) of this sub-paragraph, or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in milk received from producers subtract such excess from the pounds of skim milk remaining in the various classes in series beginning with the lowest priced class.

(2) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in subparagraph (1) of this paragraph.

(g) *Determination of producer milk in each class.* Add the pounds of skim milk and the pounds of butterfat allocated to milk received from producers in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of paragraph (f) of this section and determine the percentage of butterfat in each class.

12. Delete § 903.5 (b) (1) and substitute therefor the following:

(1) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding delivery period plus the following amounts: $1.55 for the delivery periods of July through December; $1.25 for the delivery periods of January through March; and $0.90 for the delivery periods of April through June; *Provided,* That if during the twelve months prior to the month immediately preceding each of the following delivery period groups the total volume of milk received from producers by all city plants and qualifying country plants was more or less than 125 percent of the total Class I milk disposed of by all city plants and qualifying country plants during such twelve-month period the following adjustments shall be made to the price for Class I milk for the respective group of delivery periods:

Delivery period group	For each percentage point that receipts from producers as a percent of Class I milk are—	
	Below 125 percent (add) cents	Above 125 percent (subtract) cents
January through March	1	2
April through June	0	2
July through December	2	2

13. Add as § 903.6 (b) and (c) the following:

(b) *Handlers subject to other Federal orders.* In the case of any handler whom the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing order issued pursuant to the act the provisions of this order shall not apply except as follows:

(1) The handler shall, with respect to his total receipts and utilization of skim milk and butterfat, make reports to the Market Administrator at such time and in such manner as the Market Administrator may require, and allow verification of such reports in accordance with the provisions of § 903.3.

(2) If the price which such handler is required to pay under the other order to which he is subject for skim milk and butterfat which would be classified as Class I milk under this order is less than the price provided by this order, such handler shall pay to the Market Administrator for deposit into the producer premium fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

(c) *Sales in the marketing area from non-qualified country plants.* In the case of any handler who disposes of Class I milk in the marketing area from a non-qualifying country plant not subject to another milk marketing order issued pursuant to the act, the pricing and pooling provisions of this order shall not apply except for the purpose of equalizing costs among the handlers, and for that purpose the handler receiving such milk shall with respect to such receipts pay to the Market Administrator for deposit into the producer premium fund an amount representing the difference between the value of such milk disposed of in the marketing area at the Class I price adjusted by the Class I butterfat differential less the value com-

puted at the Class II price adjusted by the Class II butterfat differential.

14. Delete the period at the end § 903.7 (a), insert a semicolon and add the following: *"And provided further*, That in the case of a handler having Class I sales within the marketing area in excess of all his receipts of approved milk there shall be added an amount computed by multiplying the pounds of such excess Class I sales by the difference between the Class I price and Class II price of such milk."

15. Delete § 903.7 (b) (4) and add the following:

(4) Add a sum equal to the payments, if any, received from the Market Administrator pursuant to § 903.8 (g);

(5) Divide the resulting amount by the total hundredweight of milk received from producers by such handler. The result computed to the nearest full cent shall be known as the uniform price for such handler for milk of 3.5 percent butterfat content f. o. b. St. Louis, Missouri, marketing area.

16. Add to the end of § 903.8 the following:

(f) *Producer premium fund.* The Market Administrator shall establish and maintain a separate fund known as the "producer premium fund" into which he shall deposit payments made by handlers pursuant to § 903.6 (b) and (c) and out of which he shall make payments pursuant to paragraph (g) of this section.

(g) *Payments out of producer premium fund.* At such time as the payments made into the producer premium fund equal an amount of money representing one cent per hundredweight of milk delivered by producers for any delivery period, the Market Administrator shall disburse such sums to the producers by payment to the handlers at the per hundredweight rate as determined by the Market Administrator. Money remaining in such fund in excess of payments on an even cent per hundredweight basis shall be accumulated until the next such payment is made on an even cent per hundredweight basis.

17. Delete § 903.10 (b) and substitute therefor the following:

(b) *Deductions with respect to members of a cooperative association.* In the case of producers for whom a cooperative association is actually performing, as determined by the Secretary the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions as are authorized by such producers, and on or before the 15th day after the end of such delivery period, shall pay such deduction to the cooperative association rendering such services.

18. Delete § 903.12.

19. Make such other changes as are necessary to make all of the provisions conform to the amendments proposed.

By the Square Deal Milk Producers Association of Illinois and the Cooperative Milk Producers of Missouri:

20. Amend § 903.5 (b) (1) so as to increase the premium 25 cents per hundredweight over that now provided in the order for Class I milk for the delivery periods July through December, and January through March, so that said subparagraph shall read as follows:

(1) *Class I milk.* The price for class I milk shall be the basic formula price, plus the following amounts per hundredweight: $1.60 for the delivery periods of July through December; $1.35 for the delivery periods of January through March; 90 cents for the delivery periods of April through June.

By various handlers represented by Karl P. Spencer:

21. Amend § 903.4 (d) (4) (i) by adding the county of "Newton" to the counties listed therein.

22. Amend § 903.4 by striking out all of paragraphs (f) and (g) and substituting a new paragraph (f) to provide for subtracting the pounds of skim milk, cream and other milk products received from the city plant of another handler and assigned to such class and the prorating of approved skim milk and butterfat received from producer-handlers, handlers under another Federal order or from any other source upon the basis of deducting from each class in the proportion that the quantity of skim milk and butterfat used in each class by the receiving handler bears to the total quantity of skim milk and butterfat received by him.

23. Amend § 903.5 (a) (1) by striking the first subparagraph thereof and substituting in lieu thereof the following:

(1) Determine the arithmetic average of the basic, or field, prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the immediately preceding delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

24. Amend § 903.5 (b) (1) by striking the following portion thereof: "(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus the following amounts per hundredweight: $1.35 for the delivery periods of July through December; $1.10 for the delivery periods of January through March; and 90 cents for the delivery periods of April through June," and substituting in lieu thereof the following: (1) *Class I milk.* The price for Class I Milk shall be the basic formula price plus the following amounts per hundredweight: $1.35 for the delivery periods of August through November; $1.10 for the delivery periods of December, January, February, March and July; and 90 cents for the delivery periods of April, May and June,".

25. Open § 903.5 (b) (2) for consideration and the receipt of evidence pertaining to the price for Class II milk.

By the St. Louis Dairy Company:

26. Amend the pricing provisions of the order to the effect that the basic formula price used in determining the Class I price for the current delivery period shall be based on the prices obtaining during the delivery period immediately preceding for the items represented by subparagraphs (1) and (2) of § 903.5 (a).

27. Amend the order to provide that the "uniform" price determined under the order shall be on a "market-wide" pool basis rather than on an "individual handler" pool basis; i. e., provided that the "uniform" price shall be a "market wide" uniform price determined by employing the market wide classification ratio rather than providing for "individual handler" uniform prices determined by the classification ratios of the individual handlers.

28. Renumber the sections, paragraphs, subparagraphs, and subdivisions of the order in accordance with revised Federal Register procedure.

29. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the order, as amended, now in effect, may be procured from the Market Administrator, 4030 Chouteau Avenue, St. Louis 10, Missouri, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: July 18, 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-8475; Filed, July 20, 1951; 8:56 a. m.]

[7 CFR Part 949]

[Docket No. AO-232]

HANDLING OF MILK IN SAN ANTONIO, TEXAS, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Non-jury Court Room, Federal Building, San Antonio, Texas, beginning at 10:00 a. m., c. s. t., August 14, 1951.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk for the San Antonio, Texas, marketing area and to the issuance of a marketing agreement and order regulating the handling of milk in the said marketing area. The proposals set forth below have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any modification thereof.

Marketing agreement and order proposed by the Producers Association of San Antonio, Inc.:

DEFINITIONS

§ 949.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended, by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq).

§ 949.2 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

§ 949.3 *San Antonio, Texas, marketing area.* "San Antonio, Texas, marketing area" hereinafter called the "marketing area" means the county of Bexar, and all Military Establishments and/or Federal Reservations located within said County, all in the State of Texas.

§ 949.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 949.5 *Producer.* "Producer" means a person who in conformity with the applicable health regulations for milk for consumption as milk in the marketing area produces milk which is received at a city or country plant.

§ 949.6 *Handler.* "Handler" means a person in his capacity as an operator of a city or country plant.

§ 949.7 *City plant.* "City plant" means a plant where milk is processed and packaged and from which milk is distributed as Class I milk in the marketing area.

§ 949.8 *Country plant.* "Country plant" means a plant at which milk is received from producers and from which milk or cream is received at a city plant.

§ 949.9 *Delivery period.* "Delivery period" means the current marketing period from the first to, and including the last day of each month.

§ 949.10 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines (a) to have its entire activities under the control of its members, and (b) to have and to be exercising full authority in the sale of milk of its members.

§ 949.11 *Producer milk.* "Producer milk" means any skim milk or butterfat contained in milk produced by a producer.

§ 949.12 *Other source milk.* "Other source milk" means any skim milk or butterfat other than that contained in producer milk but included in milk received by a handler from a producer-handler.

§ 949.13 *Producer-handler.* "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers or from other producer-handlers in bulk: *Provided,* That (a) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (b) the processing, packaging, and distribution of milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

§ 949.14 *Base milk.* "Base milk" means that skim milk and butterfat contained in milk received by a handler during each delivery period from a producer which is not in excess of such producer's base.

§ 949.15 *Excess milk.* "Excess milk" means that skim milk and butterfat contained in milk received by a handler during each delivery period from a producer which is in excess of such producer's base.

MARKET ADMINISTRATOR

§ 949.20 *Designation.* The agency for the administration of this subpart shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 949.21 *Powers.* The market administrator shall have the following powers with respect to this subpart.

(a) To administer the terms and provisions of this subpart;

(b) To report to the Secretary complaints of violations of the provisions of this subpart;

(c) To make rules and regulations to effectuate the terms and provisions of this subpart; and

(d) To recommend amendments to the Secretary.

§ 949.22 *Duties.* The market administrator shall:

(a) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Pay out of the funds provided by § 949.85 the cost of his bond, his own compensation, and all other expenses except those incurred under § 949.86;

(c) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and surrender the same to his successor or to such other person as the Secretary may designate;

(d) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not:

(1) Made reports pursuant to § 949.30, or

(2) Made payments pursuant to § 949.80;

(e) Promptly verify the information contained in the report submitted by handlers;

(f) Furnish to a cooperative association for its members the data furnished pursuant to § 949.30 (a);

(g) In order to insure the payments by handlers required under § 949.80, require each handler subject to the order to post a bond in an amount not exceeding twice the estimated amount of the payments to be made to producers for any delivery period and require such sureties on said bond as will satisfy the market administrator;

(h) From time to time, as conditions in the market warrant, publicly announce:

(1) The name of each handler whose receipts of skim milk or butterfat in milk received from producers are more than 105 percent of his utilization of skim milk or butterfat, respectively, in Class I milk,

(2) The name of each handler whose receipts of skim milk or butterfat in milk received from producers are less than 95 percent of his utilization of skim milk or butterfat, respectively, in Class I milk, and

(3) The percent that the total receipts of skim milk and butterfat in milk received from producers are of the Class I requirements of skim milk and butterfat, respectively, by all handlers in Class I milk.

REPORTS OF HANDLERS

§ 949.30 *Periodic reports.* On or before the 5th day after the end of each delivery period, each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator, with respect to all milk, skim milk, cream, and other milk products which were, during the delivery period, purchased or received from (a) producers, (b) other handlers, and (c) other sources; the receipts at each plant; the butterfat content; and the utilization thereof.

§ 949.31 *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, each handler who received milk from producers shall submit to the market administrator his producer payroll for the delivery period, which shall show for each producer:

(a) His total deliveries of milk, including for each of the delivery periods of February through September his total deliveries of base milk and excess milk,

(b) The average butterfat content of such milk, and,

(c) The net amount of such handler's payments to such producer with the prices, deductions and charges involved.

§ 949.32 *Report of utilization of skim milk and butterfat.* From time to time as conditions in the market warrant each handler shall report in the manner and on forms prescribed by the market administrator with respect to such handler's receipts and utilization of skim milk and butterfat.

§ 949.33 *Reports of producer-handlers.* Producer-handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

§ 949.34 *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and the records of any other handler or person upon whose utilization the classification of milk depends. Each

handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(a) Verify the receipts and utilization of all skim milk and butterfat and in the case of errors or omissions, ascertain the correct figures;

(b) Weigh, sample, and test for butterfat content milk and milk products; and

(c) Verify payments to producers.

§ 949.35 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8 (c) (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly, upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 949.40 *Basis of classification.* All skim milk and butterfat contained in milk, skim milk, cream, and other milk products required to be reported shall be classified by the market administrator in the classes set forth in § 949.41.

§ 949.41 *Classes of utilization.* Subject to the conditions set forth in §§ 949.42 and 949.43, the classes of utilization of milk shall be as set forth in this section:

(a) Class I shall be all skim milk and butterfat the utilization of which is not established as Class II;

(b) Class II shall be all skim milk and butterfat:

(1) Disposed of other than in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, sweet or sour cream (for consumption as cream, including any mixture of cream and milk or skim milk, in fluid form irrespective of the butterfat content) and cream used to cream cottage cheese;

(2) Accounted for as plant shrinkage, but not in excess of 2 percent, respectively, of the total receipts of skim milk and butterfat from producers; and

(3) Skim milk accounted for as having been dumped.

§ 949.42 *Responsibility of handlers and reclassification of milk.* (a) In establishing the classification of skim milk and butterfat as required in §§ 949.41 and 949.43, the burden rests upon the first handler who receives such skim milk or butterfat to prove to the market administrator that such skim milk or butterfat should not be classified as Class I milk.

(b) Any skim milk or butterfat classified in one class shall be reclassified if such skim milk or butterfat is later used or disposed of (whether in original or other form) in another class, in accordance with such latter use or disposition.

§ 949.43 *Transfers.* (a) Subject to the conditions set forth in § 949.42 and paragraph (b) of this section, skim milk and butterfat, when transferred in the form of milk, skim milk, or cream from a handler who purchases or receives milk from producers shall be classified:

(1) As Class I, if transferred to the plant of a handler who is not a producer-handler unless utilization in another class is mutually agreed upon and reported by both handlers on or before the 5th day after the end of the delivery period within which such transfer was made: *Provided,* That in no event shall the amount of skim milk or butterfat so reported be greater than the amount used in such class by the transferee handler;

(2) As Class I, if transferred to a plant of a producer-handler; and

(3) As Class I, if transferred to a plant, other than that of a handler: *Provided,* That if the buyer maintains books and records, showing the utilization of all skim milk and butterfat received at his plant, which are made available to the market administrator for the purpose of verification, such skim milk and butterfat shall be classified during such delivery periods as follows:

(i) Determine the classification of all skim milk and butterfat at the transferee plant, and

(ii) Allocate the skim milk and butterfat, respectively, received at the transferee plant from the transferring handler to the highest-priced classification remaining after subtracting, in series beginning with the highest-price classification, the receipts of skim milk and butterfat, respectively, at the transferee plant from dairy farms.

(b) No provision relative to transfers provided for in paragraph (a) (1) of this section shall operate to deter the prior subtraction of skim milk or butterfat from other sources pursuant to § 949.45. Any quantity reported for assignment to a particular class but not eligible therefor because of § 949.45 shall be assigned by the market administrator as Class I skim milk or Class I butterfat pending verification and appropriate allocation.

§ 949.44 *Computation of the skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and for other obvious errors the periodic report submitted by each handler and shall compute the pounds of skim milk and butterfat in Class I milk and Class II milk for such handler.

§ 949.45 *Allocation of skim milk and butterfat classified.* After making the computations pursuant to § 949.44, the market administrator shall determine the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the pounds of skim milk in Class II the pounds of skim milk in other source milk: *Provided,* That if the receipts of skim milk in other source milk are greater than the pounds of skim milk in Class II, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class I;

(2) Subtract from the remaining pounds of skim milk in each class the skim milk received from other handlers according to its classification as determined pursuant to § 949.43;

(3) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II milk. Any amount so subtracted shall be called "overage."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content in Class I and Class II milk computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 949.50 *Formula index.* The market administrator shall compute for each delivery period a formula index to be used in the determination of the Class I price for such delivery period. The latest reported figures available to the market administrator on the 23th day of the month shall be used in making the following computations for the next succeeding delivery period:

(a) Divide by 0.8058 the monthly wholesale price index, with the year 1926 as the base period, for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor.

(b) Divide by 3 the sum of the latest monthly indexes of department store sales in the Eleventh Federal Reserve District adjusted for seasonal variation, with the years 1935–39 as the base period, as reported by the Federal Reserve Bank of Dallas, Texas.

(c) Add together the amounts determined pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Divide by 0.017825 the average prices paid per hundredweight by Texas farmers for all mixed dairy feed, as reported by the United States Department of Agriculture and multiply by 0.70.

(2) Divide by 0.012675 the daily farm wage rates without board or room for the latest available month for Texas as reported by the United States Department of Agriculture and multiply by 0.30.

(d) Divide by 3 the sum of the amounts determined pursuant to paragraphs (a), (b), and (c) of this section. The result rounded to the nearest whole number shall be the formula index for such delivery period.

§ 949.51 *Class prices.* Subject to the appropriate butterfat differential provided in § 949.52 the following are the minimum prices per hundredweight to

handlers for Class I milk and for Class II milk.

(a) *Class I milk.* The price for Class I milk shall be the formula index multiplied by 2.15: *Provided*, That whenever the receipts of milk from producers by all handlers during any period of twelve consecutive months are less than 105 percent of Class I requirements of all handlers for the same period of twelve consecutive months, the price for Class I milk for the next following delivery period shall be increased by 40 cents and whenever such receipts are more than 115 percent of such Class I requirements the price for Class I milk for the next delivery period shall be decreased by 40 cents: *And provided further*, That notwithstanding the provisions of the previous proviso the price for Class I milk during any of the delivery periods of April, May, and June of each year shall not be higher than the price for Class I milk during the immediately preceding delivery period and the price for Class I milk during any of the delivery periods of October, November and December of each year shall not be lower than the price for Class I milk during the immediately preceding delivery period.

(b) *Class II milk.* The price for Class II milk shall be that resulting from the following computations:

(1) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the United States Department of Agriculture during the delivery period, subtract 3 cents, add 20 percent thereof and multiply by 4.0;

(2) From the average of the carlot prices per pound of nonfat dry milk solids for human consumption, spray process, f. o. b. manufacturing plants in the Chicago area as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the current month, subtract 4 cents, multiply by 8.16 (8.5 times 0.96); and

(3) Add together the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph.

(c) *Emergency price provisions.* (1) Whenever the provisions of this subpart require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *And provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market adminstrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

(2) Whenever the Secretary finds and announces that the Class I and Class II prices computed for any delivery period pursuant to paragraphs (a) and (b) of this section are not in the public interest, the Class I and Class II prices for such delivery period shall be the same as the Class I and Class II prices for the previous delivery period.

§ 949.52 *Butterfat differentials to handlers.* If the average butterfat content of the milk received from producers by any handler and allocated to either class pursuant to § 949.45 is more or less than 4.0 percent, there shall be added to the respective class price computed pursuant to § 949.51 for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent, or subtracted for each one-tenth of 1 percent that such average butterfat content is below 4.0 percent, a butterfat differential computed as follows: multiply the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the United States Department of Agriculture, during the delivery period next preceding that in which the milk is received in the case of Class I milk and during the delivery period in which the milk is received in the case of Class II milk, by the applicable factor listed below, divide the result by 10 and round to the nearest one-tenth cent:

(a) Class I milk: 1.25; and
(b) Class II milk: 1.15.

APPLICATION OF PROVISIONS

§ 949.60 *Application of provisions—*(a) *Exceptions.* Sections 949.50 through 949.52, 949.70 through 949.73, 949.80 through 949.86 and 949.90 through 949.94 shall not apply to any handler: (1) whose sole source of supply is from other handlers (except producer-handlers) or (2) who is a producer-handler pursuant to § 949.13.

(b) *Handlers subject to other orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this subpart shall not apply except as follows:

(1) The handler shall, with respect to the total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

(2) If the price which such handler is required to pay under the other Federal order to which he is subject for skim milk and butterfat which would be classified as Class I milk under this order is less than the price provided by this order, such handler shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this subpart and its value as determined pursuant to the other order to which he is subject.

DETERMINATION OF UNIFORM PRICES

§ 949.70 *Computation of value of milk.* The value of milk received from producers during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class by the applicable class price, adding together the resulting amounts and adding the amounts computed by multiplying the pounds of overage deducted from each class by the applicable class price.

§ 949.71 *Computation of uniform price for all milk.* (a) For each of the delivery periods of October, November, December and January the market administrator shall compute the uniform price for all milk received from producers during such delivery period as follows:

(1) Combine into one total the amounts computed pursuant to § 949.70 for all handlers who made the reports prescribed in § 949.30 and who made the payments required pursuant to § 949.80 for the preceding delivery period;

(2) Add an amount representing not less than one-half of the unobligated cash balance in the producer-settlement fund;

(3) Subtract if the average butterfat content of all milk included in these computations is greater than 4.0 percent or add if such average butterfat content is less than 4.0 percent an amount computed by multiplying the amount by which such average butterfat content varies from 4.0 percent by the butterfat differential computed pursuant to § 949.81 and multiply the resulting amount by the hundredweight of such milk;

(4) Divide by the total hundredweight of milk included in these computations; and

(5) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price per hundredweight for all milk of 4.0 percent butterfat content received from producers during such delivery period.

§ 949.72 *Computation of uniform price for excess milk.* (a) For each of the delivery periods of February, March, April, May, June, July, August and September the market administrator shall compute the uniform price for excess milk received from producers during such delivery period as follows:

(1) Allocate excess milk first to Class II and then to Class I until all such milk has been allocated;

(2) Multiply the pounds of excess milk allocated to each class by such class price for milk containing 4.0 percent butterfat and add together the resulting amounts; and

(3) Divide the amount obtained in subparagraph (2) of this paragraph by the hundredweight of excess milk and adjust to the nearest cent. The resulting figure shall be the uniform price per hundredweight for excess milk of 4.0 percent butterfat content received from producers during such delivery period.

§ 949.73 *Computation of uniform price for base milk.* (a) For each of the delivery periods of February, March, April, May, June, July, August and September the market administrator shall compute the uniform price for base milk received from producers during such delivery period as follows:

(1) Combine into one total the amounts computed pursuant to § 949.70 for all handlers who made the reports prescribed in § 949.30 and who made the payments required pursuant to § 949.80 for the preceding delivery period;

(2) Add an amount representing not less than one-half of the unobligated cash balance in the producer-settlement fund;

(3) Subtract if the average butterfat content of all milk included in these computations is greater than 4.0 percent or add if such average butterfat content is less than 4.0 percent an amount computed by multiplying the amount by which such average butterfat content varies from 4.0 percent by the butterfat differential computed pursuant to § 949.81 and multiply the resulting amount by the hundredweight of such milk;

(4) Multiply the pounds of excess milk received from producers during the delivery period by the uniform price for excess milk of 4.0 percent butterfat content for such delivery period;

(5) Subtract from the amount obtained in subparagraph (3) of this paragraph the amount obtained in subparagraph (4) of this paragraph;

(6) Divide by the hundredweight of base milk received from producers during the delivery period; and

(7) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price per hundredweight for base milk of 4.0 percent butterfat content received from producers during such delivery period.

PAYMENT FOR MILK

§ 949.80 *Time and method of payment.* (a) On or before the last day of each delivery period, each handler shall make payment to each producer for milk received from such producer by such handler during the first 15 days of the delivery period at not less than the price per hundredweight for Class II milk for the preceding delivery period.

(b) On or before the 15th day after the end of each of the delivery periods of February through September each handler shall make payment to each producer for base milk received from such producer by such handler during such delivery period at not less than the uniform price per hundredweight for base milk subject to the butterfat differential pursuant to § 949.81 and less payment made pursuant to paragraph (a) of this section.

(c) On or before the 15th day after the end of each of the delivery periods of February through September, each handler shall make payment, after deducting the amount of payment made pursuant to paragraph (a) of this section, to each producer for excess milk received from such producer by such handler during such delivery period at not less than the uniform price per hundredweight for excess milk, subject to the butterfat differential.

(d) On or before the 15th day after the end of each of the delivery periods of October through January each handler shall make payment after deducting the amount of payment made pursuant to paragraph (a) of this section to each producer for all milk received from such producer by such handler during the delivery period at not less than the uniform price per hundredweight, subject to the butterfat differential.

(e) In making the payments to producers pursuant to paragraphs (b), (c) and (d) of this section each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The total pounds and average butterfat test of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required;

(4) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions;

(6) The net amount of payment to such producer; and

(7) The percentage of such producer's base milk used in Class I and in Class II.

§ 949.81 *Butterfat differential.* If any handler has received from any producer milk having an average butterfat content other than 4.0 percent, such handler, in making payments pursuant to § 949.80, shall add to the uniform price of all milk, base milk, or excess milk, as the case may be, for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent not less than, or shall deduct from the uniform price of all milk, base milk, or excess milk, as the case may be, for each one-tenth of 1 percent that the average butterfat content of such milk is below 4.0 percent not more than, an amount computed as follows: multiply by 1.2 the simple average computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the United States Department of Agriculture during the delivery period, divide the result by 10 and round to the nearest one-tenth of a cent.

§ 949.82 *Payments to the producer-settlement fund.* On or before the 13th day after the end of the month during which the milk was received, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount, if any, by which the value of the milk received by such handler from producers as determined pursuant to § 949.70 is greater than the amount required to be paid producers by such handler pursuant to § 949.80.

§ 949.83 *Payments out of the producer-settlement fund.* On or before the 14th day after the end of the month during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during the month as determined pursuant to § 949.70 is less than the amount required to be paid producers by such handler pursuant to § 949.80: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who has not received the balance of such payment from the market administrator shall be considered in violation of § 949.80 if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund. The handler shall complete such payments to producers not later than the date for making such payments next following after the receipt of the balance from the market administrator.

§ 949.84 *Adjustment of accounts.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in money due:

(a) The market administrator from such handler;

(b) Such handler from the market administrator; or

(c) Any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

§ 949.85 *Payment of administration expense.* Within 23 days after the end of each delivery period, each handler shall make payment to the market administrator of his pro rata share of the expense of administration of this subpart. The payment shall be at the rate of 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, and shall apply to all of the handler's receipts of milk from producers and receipts of other source milk during the month.

§ 949.86 *Marketing services*—(a) *Marketing service deduction.* Each handler, in making payments to producers (other than himself) shall make a deduction of six cents per hundredweight of milk or such lesser deduction as

the Secretary from time to time may prescribe, except as set forth in paragraph (b) of this section. Such deductions shall be paid by the handler to the market administrator on or before the 15th day after the end of the delivery period during which the milk was received. Such moneys shall be expended by the market administrator for verification of weights and tests of milk received from such producers and in providing market information to such producers.

(b) *Marketing service deduction with respect to producers who are members of or are marketing through a cooperative association.* In the case of each producer who is a member of, or who has given written authorization for the rendering of marketing services and the taking of a deduction therefor to a cooperative association, which the Secretary has determined is performing the services described in paragraph (a) of this section, such handler, in lieu of the deduction specified under paragraph (a) of this section, shall deduct from the payments to such producer the amount per hundredweight specified by such association which is not in excess of the rate authorized by such producer and shall pay such deduction to the cooperative association entitled to receive it on or before the 15th day after the end of the delivery period during which such milk was received.

BASE RATING

§ 949.90 *Determination of base.* For each of the delivery periods of February through September of each year, the base of each producer shall be a quantity of milk calculated, by the handler who receives milk from such producer, in the following manner, subject to verification by the market administrator: Multiply the daily base of such producer with such handler by the number of days during which such producer's milk was delivered to such handler during the delivery period.

§ 949.91 *Base forming period.* For the delivery periods of February through September of each year, the base forming period shall be the immediately preceding four months period of October through January.

§ 949.92 *Determination of daily base.* For the delivery periods of February through September of each year, the daily base of each producer shall be an amount calculated by the handler(s) to whom such producer delivered milk during the base period, subject to verification by the market administrator as follows: Divide the total pounds of milk received from each producer during the base forming period by the number of days in the base forming period: *Provided,* That the base of each producer shall be proportionately adjusted so that the total of all bases shall equal the Class I sales of such handler or handlers during the base forming period: *And provided further,* That if a new producer who has not established a base, sells or delivers milk to a handler during a base operating period, he shall be paid the uniform price for "excess milk" as defined in this order, for all milk so delivered.

§ 949.93 *Base rules.* (a) A landlord who rents on a share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. A tenant who rents on a share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by the tenant and landlord, the daily base shall be divided between the joint owners according to ownership of the cattle when such share basis is terminated.

(b) A producer, whether landlord or tenant, may retain his base when moving his entire herd of cows from one farm to another: *Provided,* That at the beginning of a tenant and landlord relationship the base of such landlord and tenant may be combined and may be divided when such relationship is terminated.

(c) Base may be transferred only under the following conditions:

(1) In case of the death of a producer, his base may be transferred to a surviving member or members of his immediate family who carry on the dairy operations, and

(2) In case of retirement of a producer, his base may be transferred to a member or members of his immediate family who carry on the dairy operation.

§ 949.94 *Announcement of established bases.* On or before the 20th day after the end of the base forming period, each handler shall notify each producer from whom he received milk during the base forming period of his established base and post publicly the base of such producers.

MISCELLANEOUS PROVISIONS

§ 949.111 *Separability of provisions.* If any provision of this subpart, or its application to any person or circumstances, is held invalid, the applications of such provision and the remaining provisions of this subpart to other persons or circumstances, shall not be affected thereby.

Modifications proposed by the Milk Handlers of San Antonio, Texas:

1a. Delete § 949.7 and substitute therefor the following:

§ 949.7 *City plant.* "City plant" means a plant where milk or milk products are processed and packaged and from which milk or milk products are distributed directly or indirectly under Class I classification in the marketing area.

b. Or, in lieu of §§ 949.6, 949.7 and 949.8, " 'handlers' means a person who handles, processes or packages milk at a plant from which milk or milk products are disposed of directly or indirectly under Class I classification in the marketing area."

2. Add § 949.16 *Emergency milk.*

§ 949.16 *Emergency milk.* "Emergency milk" means milk received from outside sources, i. e. other than producer milk, during a period of time when the market administrator determines that the handler is otherwise unable to obtain his Class I requirements.

3. Delete § 949.22 (g).

4. Under § 949.45, and other appropriate sections of the proposed order consideration should be given to the deduction of emergency milk pro rata from each classification.

5. Amend § 949.50 as follows: Consideration should be given at the hearing to a Class I formula which shall: Provide for a "basic formula price" for Class I milk which shall be the higher of (a) the average paying prices of 18 Wisconsin and Michigan condenseries, or (b) the market value of milk for butter and nonfat dry milk solids, as such prices are reported by the United States Department of Agriculture for the Chicago area, with a plus differential.

6. Delete § 949.93 (c) (1) and (2) and substitute therefor the following:

(1) In the event of the death, retirement or entry into military service of a producer his established base may be transferred to a member or members of his immediate family;

(2) In the event a base is jointly held and such joint holding is terminated, the established base may be transferred to one of the joint holders or to another person; and

(3) In the event a bona fide sale by a producer, including a sale under power or a sale under judicial order, his established base may be transferred with the herd only when the following conditions have been complied with, to-wit: (i) The producer has made monthly reports to the market administrator during the base forming period, as to the number of cows in his herd; and (ii) that no less than ninety percent of the herd is sold and transferred.

7. Amend the last sentence in § 949.85 to read as follows: "The payment shall be at the rate of 2 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe and shall apply to all of the handler's receipts of producer milk and all receipts of other source milk which is utilized as Class I milk, which is procured from a source other than one subject to Federal Administrative assessment."

8. Amend § 949.86 (b) by adding the following: *"Provided,* That each producer who has authorized a cooperative association to render marketing services for him shall give to the handler receiving milk from him an authorization in writing, directing the handler to make the marketing service deduction and to pay the same to the cooperative association rendering the marketing services."

Modifications proposed by Tennessee Dairies, Inc.:

9. Add to § 949.60 (b) the following subparagraph:

(3) Notwithstanding the provisions of other sections, paragraphs and subparagraphs in this subpart, if the price which any handler pays for skim milk and butterfat (which would be classified as Class I milk under this order) is less than the price provided by this subpart, such handler shall pay to the

market administrator for deposit into the producer-settlement fund, with respect to all skim milk and butterfat disposed of as Class I milk an amount equal to the difference between the value of such skim milk or butterfat (determined according to the purchase price of such skim milk or butterfat at the point of purchase regardless of from whom it is purchased) and its value as determined pursuant to the formula for determining the price for Class I milk under this subpart.

Proposals of the Dairy Branch:

10. Add the following:

§ 949.87 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The delivery period during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8a (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION.

§ 949.100 *Effective time.* The provisions of this subpart or any amendment to this subpart shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 949.101.

§ 949.101 *Suspension or termination.* The Secretary may suspend or terminate this subpart or any provision of this subpart whenever he finds this subpart or any provision of this subpart obstructs or does not tend to effectuate the declared policy of the act. This subpart shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

§ 949.102 *Continuing obligations.* If upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 949.103 *Liquidation.* Upon the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall if so directed by the Secretary liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 949.110 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: July 18, 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-8476; Filed, June 20, 1951; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1951, 66th Supp.]

FEDERAL INSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

JULY 14, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the Act of Congress approved July 30, 1947 (6 U. S. C. secs. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of $2,820,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51-8325; Filed, July 20, 1951; 8:45 a. m.]

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1951, 67th Supp.]

VIGILANT INSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

JULY 14, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the Act of Congress approved July 30, 1947 (6 U. S. C. secs, 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of $485,000.00 has been established for the company. Further details as to the extent and localities with

respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51-8428; Filed, July 20, 1951; 8:48 a. m.]

POST OFFICE DEPARTMENT

TRANSFER OF FUNCTIONS AND DELEGATION OF AUTHORITY WITHIN BUREAU OF FACILITIES

The following instructions have been promulgated by the Assistant Postmaster General, Bureau of Facilities, pursuant to authority delegated to him by the Postmaster General (15 F. R. 4693).

In addition to functions being presently performed by the various Divisions in the Bureau of Facilities, the following were transferred to the Divisions indicated, effective July 1, 1951:

DIVISION OF BUILDINGS MANAGEMENT

1. Light, fuel, power, water, and electric bulbs for leased and rented quarters. (From Division of Post Office Quarters.)
2. Toilet paper, ice, miscellaneous cleaning supplies, flags, electric fans, electric drinking fountains, and light bulbs. (From Division of Equipment and Supplies.)
3. Electric power for pneumatic tubes; heat, light, power, and water; removal of ashes; coal, fuel oil, ice; washing towels; cleaning of leased and rented garages. (From Division of Vehicle Service.)

DIVISION OF POST OFFICE QUARTERS

1. Leases, rental agreements, and rental of pneumatic tubes. (From Division of Vehicle Service.)

DIVISION OF EQUIPMENT AND SUPPLIES

1. Special furniture (safes, distributing cases, office furniture, etc.). (From Division of Buildings Management.)
2. Purchase of vehicle parts and supplies; purchase of garage equipment. (From Division of Vehicle Service.)

DIVISION OF TRAFFIC

1. Moving safes; hauling freight, crating for shipment, freight on equipment; freight on coal; drayage on coal; miscellaneous supplies (shipments). (From Division of Buildings Management.)

DIVISION OF BUDGET AND ADMINISTRATIVE SERVICES

1. Budget, accounting, etc.; travel allotments. (From all Divisions.)
2. Correspondence and accounting for sale of maps. (From Division of Cartography.)

Beginning immediately, correspondence concerning each function mentioned above should be addressed to the Division to which it has been transferred. Correspondence concerning functions not specifically mentioned above should be addressed as heretofore.

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-8423; Filed, July 20, 1951; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

JUNE 22, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing approximately 525 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION No. 279

For lease and sale for homesites only:
T. 1 S., R. 7 E., S. B. M.
Sec. 8, W½, SE¼, W½W½W½NE¼, E½ SW¼NW¼NE¼, S½SE¼NE¼.

The land is situated in San Bernardino County, California, about four miles southeast of the town of Joshua Tree. They can be reached over U. S. Highway 70-99 and thence by paved road to Joshua Tree and over an unpaved dirt road that passes into the Joshua Tree National Monument. The nearest town that affords all of the usual community services is Twentynine Palms, California, approximately 15 miles distant.

The area is desert in character and is one that is considered ideal for health and recreational purposes.

2. As to applications regularly filed prior to 9:00 a. m., June 4, 1951, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a m., August 24, 1951. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., August 24, 1951, to close of business on November 22, 1951.

(b) Advance period for veterans' simultaneous filings from 9:00 a. m., June 4, 1951, to 10:00 a. m., August 24, 1951.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., November 23, 1951.

(a) Advance period for simultaneous nonpreference filings from 9:00 a. m., June 4, 1951, to 10:00 a. m., November 23, 1951.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $20.00 per acre, application for which may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the state, county or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 51-8429; Filed, July 20, 1951; 8:49 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF THE FAR EAST CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to

section 15 of the Shipping Act, 1916, as amended.

Agreement No. 17–25, between the member lines of the Far East Conference and the carriers comprising the Kokusai Line joint service, provides for the admission of said joint service carriers to membership in the Far East Conference as a single party with one vote pursuant to the provisions of joint service agreement 7816.

Agreement No. 7792–1, between Flota Mercante Grancolombiana, S. A., Grace Line, Inc., United Fruit Company, et al., modifies agreement 7792 which provides that Flota Mercante shall be entitled to carry a minimum of 35 percent of the coffee moving on vessels of the parties in the trade from Barranquilla, Cartagena and Buenaventura, Colombia, to New York, New Orleans and Houston, and sets forth the basis on which Flota Mercante will be compensated by the other companies should its carryings fall below the specified minimum. Agreement 7792 presently provides that provisional liquidation shall be made every three months and the respective compensatory payments shall be made within the following 30 days. Proposed agreement 7792–1 provides for provisional liquidations every six months and the respective compensatory payments will be made in so far as practicable within the following thirty days.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: July 18, 1951.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51–8479; Filed, July 20, 1951; 8:57 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Brunswick Manufacturing Co., Inc., Goodyear Park, Brunswick, Ga., effective 7–5–51 to 1–4–52; 25 learners for expansion purposes only (boys single pants, washable service garments, overalls, overall jackets and coveralls from any material).

General Garment Co., Winchester, Ill., effective 7–9–51 to 7–8–52; for normal labor turnover, 10 percent of the productive factory workers, or ten learners, whichever is greater (ladies' outer wearing apparel).

Grandeur Fashions, Inc., 204 Oliver Street, Swoyerville, Pa., effective 7–5–51 to 7–4–52; for normal labor turnover, five learners or 10 percent of the productive factory workers, whichever is greater (women's blouses and dresses).

Joseph Greenberg, North Poplar Street, Elizabethtown, Pa., effective 7–9–51 to 7–8–52; for normal labor turnover, 10 percent of the productive factory workers or 10 learners, whichever is greater (infants wear).

Leslie-Ann, Inc., Sixth and Colliery Avenue, Tower City, Pa., effective 7–9–51 to 7–8–52; for normal labor turnover, not to exceed 10 percent of the productive factory workers (ladies' dresses).

R. Lowenbaum Manufacturing Co., 24 North Spanish Street, Cape Girardeau, Mo., effective 7–5–51 to 1–4–52; 15 learners for expansion purposes only (junior dresses).

Princess Peggy, Inc., Vandalia Division, Vandalia, Ill., effective 7–6–51 to 1–5–52; 20 learners for expansion purposes only (women's cotton dresses).

Slimaker Dress Corp., Inc., Holton, Kansas, effective 7–9–51 to 1–8–52; 60 learners for expansion purposes (women's half-size dresses).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Berkshire Knitting Mills, Andrews, N. C., effective 7–3–51 to 3–2–52; 45 additional learners for expansion purposes (supplemental certificate).

Texas Knitting Mills, Inc., U. S. Route 180, Mineral Wells, Texas, effective 7–9–51 to 3–8–52; 10 learners for expansion purposes (supplemental certificate).

Texas Knitting Mills, Inc., U. S. Route 180, Mineral Wells, Texas, effective 7–9–51 to 7–8–52; 5 learners.

Trumpet Hosiery Co., Inc., Trumbauersville, Pa., effective 7–10–51 to 7–9–52; 5 learners.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950, 15 F. R. 6388).

Newton Glove Manufacturing Co., P. O. Drawer 271, Newton, N. C., effective 7–25–51 to 7–24–52; 10 percent of the total number of productive factory workers.

Scotsmoor Co., Inc., North Market Street, Johnstown, N. Y., effective 7–19–51 to 7–18–52; 10 percent of the total number of productive factory workers.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

Ainsbrooke Co., Inc., Olney, Ill., effective 7–3–51 to 1–2–52; five additional learners for expansion purposes (supplemental certificate).

Ainsbrooke Co., Inc., Olney, Ill., effective 7–3–51 to 7–2–52; five learners.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Soboroff Sons Co., 1500 North Ogden Avenue, Chicago 10, Ill., effective 7–8–51 to 7–7–52; 10 percent of the total number of productive factory workers; machine operators (except cutting), pressers, handsewers; 240 hours each; 65 cents per hour (men's and boys' cloth hats and caps).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiring dates, the number of learners, and learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Senorita Hosiery Mills, Inc., Gurabe, P. R., effective 7–1–51 to 6–30–52; 19 learners, 6 knitters, 2 loopers, 5 seamers, first 320 hours at 25 cents per hour, second 320 hours at 30 cents per hour, third 320 hours at 35 cents per hour; 4 examiners, first 80 hours at 25 cents per hour, second 80 hours at 30 cents per hour, third 80 hours at 35 cents per hour; 2 toppers, first 160 hours at 25 cents per hour, second 160 hours at 30 cents per hour, third 160 hours at 35 cents per hour (full fashioned hosiery).

Cayey Manufacturing Co., Inc., Cayey, P. R., effective 7–4–51 to 10–3–51; 55 learners; machine stitching, 240 hours at 28 cents per hour, 240 hours at 40 cents per hour (machine sewn fabric gloves).

Puerto Rican Brassiere Co., Santurce, P. R., effective 7–3–51 to 1–2–52; 100 learners; sewing machine operators, 200 hours at 25 cents per hour (brassieres).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 11th day of July 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51–8364; Filed, July 20, 1951; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 162]

THE MATHES COMPANY, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Mathes Company, Inc., 1501–29 East Broadway, Fort Worth, Texas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of coolers manufactured by The Mathes Company, Inc., 1501–29 E. Broadway, Fort Worth, Texas, having the brand name(s) "Mathes Cooler" shall be the proposed retail ceiling prices listed by The Mathes Company, Inc., 1501–29 East Broadway, Fort Worth, Texas, in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, The Mathes Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8449; Filed, July 18, 1951; 4:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 163]

PRINCE GARDNER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Prince Gardner Co., 2025 South Vandeventer, St. Louis 10, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director

indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and women's billfolds, secretaries, key containers, cigarette cases and women's French purses manufactured by Prince Gardner Co., 2025 South Vandeventer, St. Louis 10, Missouri, having the brand name(s) "Prince Gardner" and "Princess Gardner" shall be the proposed retail ceiling prices listed by Prince Gardner Co., in its application dated March 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Prince Gardner Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8450; Filed, July 18, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 164]

J. W. LANDENBERGER & CO.

CEILING PRICE AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, J. W. Landenberger & Company, Castor and Kensington Avenues, Philadelphia 24, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has

delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of foot socks manufactured by J. W. Landenberger & Company, Castor and Kensington Avenues, Philadelphia 24, Pennsylvania, having the brand name(s) "Footlets" shall be the proposed retail ceiling prices listed by J. W. Landenberger & Company, in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, J. W. Landenberger & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8451; Filed, July 18, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 165]

BISSELL CARPET SWEEPER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bissell Carpet Sweeper Co., 210 Erie St. NW., Grand Rapids 2, Mich., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendment of this special order.

The special order also requires applicant to file with the Distribution Price Branch regulator reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of carpet sweepers manufactured by Bissell Carpet Sweeper Co., 210 Erie St., N.W., Grand Rapids 2, Mich. having the brand name(s) "Bissell" and "Bissell's" shall be the proposed retail ceiling prices listed by Bissell Carpet Sweeper Co., in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than Sep-

tember 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Bissell Carpet Sweeper Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order established the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8452; Filed, July 18, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 166]

TAILORED JUNIOR DRESS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Tailored Junior Dress Company, Inc., 1400 Broadway, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of junior dresses manufactured by Tailored Junior Dress Company, Inc., 1400 Broadway, New York 18, New York, having the brand name(s) "Tailored Junior" shall be the proposed retail ceiling prices listed by Tailored Junior Dress Company, Inc., in its application dated May 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation having the same selling price and terms of sale to the retailer, same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Tailored Junior Dress Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This

mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____ {unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8453; Filed, July 18, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 167]

MARIONESS & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Marioness & Co. Inc., 35 West Thirty-fifth Street, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of the following leather handbag accessories for women: purse kits, cigarette cases, compacts, eyeglass cases, check book covers, key cases, pocket purses, comb and nail file cases and rosary cases manufactured by Marioness & Co., Inc., 35 West Thirty-fifth Street, New York 1, New York, having the brand name(s) "Marioness" shall be the proposed retail ceiling prices listed by Marioness & Co., Inc., in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Marioness & Co., Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After

60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8454; Filed, July 18, 1951; 4:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 163]

KING BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, King Bedding Co., 2119 West Toronto Street, Philadelphia, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by King Bedding Co., 2119 West Toronto Street, Philadelphia 32, Pennsylvania, having the brand name(s) "Restonic Custom Triple Cushion", "Restonic Super Triple Cushion" shall be the proposed retail ceiling prices listed by King Bedding Co. in its application dated April 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, King Bedding Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special

order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8455; Filed, July 18, 1951; 4:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 169]

FULPER POTTERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fulper Pottery Co., New York Avenue, Trenton, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of dinnerware and art ware manufactured by Fulper Pottery Co., New York Avenue, Trenton, New Jersey having the brand name(s) "Stangl" shall be the proposed retail ceiling prices listed by Fulper Pottery Co. in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Fulper Pottery Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attached to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the

manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8456; Filed, July 18, 1951; 4:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 170]

A. H. ROGERS & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, A. H. Rogers & Co., 500 Fifth Avenue, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued:

1. The ceiling prices for sales at retail of lingerie and robes manufactured by A. H. Rogers & Co., 500 Fifth Avenue, New York 18, New York, having the brand name(s) "Rogers" shall be the proposed retail ceiling prices listed by A. H. Rogers & Co. in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, A. H. Rogers & Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8457; Filed, July 18, 1951; 4:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 171]

AMERICAN MANUFACTURING CORP., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, American Manufacturing Corporation, Inc., 1052 Constance Street, New Orleans 12, Louisiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports settings forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies' and children's lingerie manufactured by American Manufacturing Corporation, Inc., 1052 Constance Street, New Orleans 12, Louisiana, having the brand name(s) "Sans Souci" and "Skinfit" shall be the proposed retail ceiling prices listed by American Manufacturing Corporation, Inc., in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, American Manufacturing Corporation, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and withing 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8458; Filed, July 18, 1951; 4:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 172]

SALT LAKE MATTRESS & MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Salt Lake Mattress & Manufacturing Co., P. O. Box 783, Salt Lake City 10, Utah, has applied to the Office of Price Stabilization for maximum resale prices

for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Salt Lake Mattress & Manufacturing Co., P. O. Box 783, Salt Lake City 10, Utah, having the brand name(s) "Serta" shall be the proposed retail ceiling prices listed by Salt Lake Mattress & Manufacturing Co. in its application dated March 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Salt Lake Mattress & Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 80 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8459; Filed, July 18, 1951; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 173]

OSHKOSH TRUNKS & LUGGAGE

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Oshkosh Trunks & Luggage, Oshkosh, Wisconsin has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of trunks and luggage manufactured by Oshkosh Trunks & Luggage, Oshkosh, Wisconsin, having the brand name(s) "Oshkosh" shall be the proposed retail ceiling prices listed by Oshkosh Trunks & Luggage in its application dated May 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Oshkosh Trunks & Luggage must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8460; Filed, July 18, 1951; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 174]

KNOMARK MANUFACTURING CO., INC.

CEILING PRICE AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Knomark Manufacturing Co., Inc., 330 Wythe Avenue, Brooklyn 11, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of shoe dressings and shoe polishes manufactured by Knomark Manufacturing Co., Inc., 330 Wythe Avenue, Brooklyn 11, New York, having the brand name(s) "Esquire" and "Lady Esquire" shall be the proposed retail ceiling prices listed by Knomark Manufacturing Co., Inc., 330 Wythe Avenue, Brooklyn, New York, in its application dated May 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the

Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Knomark Manufacturing Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.}	Terms {net, percent EOM, etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8461; Filed, July 18, 1951; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 175]

EPSTEIN GARMENT CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Epstein Garment Company, Inc., 1375 Broadway, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submtted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also required applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of teen-age and junior dresses manufactured by Epstein Garment Company, Inc., 1375 Broadway, New York, New York, having the brand name(s) "Teena Paige" shall be the proposed retail ceiling prices listed by Epstein Garment Company, Inc., in its application dated April 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 11, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Epstein Garment Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8462; Filed, July 18, 1951; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 176]

FLINTRIDGE CHINA CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Flintridge China Company, 350–380 South Raymond Avenue, Pasadena 1, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of dinnerware manufactured by Flintridge China Company, 350–380 South Raymond Avenue, Pasadena 1, California, having the brand name(s) "Flintridge China" shall be the proposed retail ceiling prices listed by Flintridge China Company in its application dated April 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Flintridge China Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this spe-

cial order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8463; Filed, July 18, 1951; 4:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 177]

STEINWAY & SONS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Steinway & Sons, 109 West Fifty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of pianos manufactured by Steinway & Sons, 109 West Fifty-seventh Street, New York 19, New York, having the brand name(s) "Steinway" shall be the proposed retail ceiling prices listed by Steinway & Sons in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Steinway & Sons must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto, (if any) issued prior to the date of the delivery. The

manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailers' ceilings for acticles of cost listed in column 1

$\_\_\_\_\_$ per $\_\_\_\_\_$ {unit. dozen. etc.} Terms {net. percent EOM. etc.} $\_\_\_\_\_$

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8464; Filed, July 18, 1951; 4:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 178]

MABS, INC.

CEILING PRICES AT RETAIL

Statement of Considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Mabs, Inc., Mabs Building, Los Angeles 15, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's lastex swimsuits, panty girdles, and girdles; children's latex swimsuits and underpanties manufactured by Mabs, Inc., Mabs Building, Los Angeles 15, California, having the brand name(s) "Mabs of Hollywood" shall be the proposed retail ceiling prices listed by Mabs, Inc., in its application dated March 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Mabs, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marketing, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailers' ceilings for articles of cost listed in column 1

$\_\_\_\_\_$ per $\_\_\_\_\_$ {unit. dozen. etc.} Terms {net. percent EOM. etc.} $\_\_\_\_\_$

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months

immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8465; Filed, July 18, 1951; 4:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 179]

BLOCH HELLER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bloch Heller Company, 27 North Fourth Street, Minneapolis 1, Minnesota, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's sportswear manufactured by Bloch Heller Company, 27 North Fourth Street, Minneapolis, Minnesota, having the brand name(s) "Game and Lake" shall be the proposed retail ceiling prices listed by Bloch Heller Company in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Bloch Heller Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____ {unit. dozen. etc.} Terms {net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8466; Filed, July 18, 1951; 4:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 180]

SIL-O-ETTE UNDERWEAR CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sil-O-Ette Underwear Co., 144-08 Ninety-first Avenue, Jamaica 2, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of underwear, and panty girdles manufactured by Sil-O-Ette Underwear Co., 144-08 Ninety-first Avenue, Jamaica 2, New York, having the brand name(s) "Sil-O-Ette" shall be the proposed retail ceiling prices listed by Sil-O-Ette Underwear Co. in its application dated May 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Sil-O-Ette Underwear Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8467; Filed, July 18, 1951; 4:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 181]

PROPPER-MCCALLUM HOSIERY CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order Propper-McCallum Hosiery Co., Inc. 200 Madison Avenue, New York, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required un-

der this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's hosiery manufactured by Propper-McCallum Hosiery Co., Inc., 200 Madison Avenue, New York, New York, having the brand name(s) "McCallum" and "Proper" shall be the proposed retail ceiling prices listed by Propper-McCallum Hosiery Co., Inc. in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Propper-McCallum Hosiery Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8468; Filed, July 18, 1951; 4:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 182]

KABO, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kabo, Inc., 729 Milwaukee Avenue, Chicago 22, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered

by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres, bandeaux, garter belts, girdles, corsets, foundations and abdominal belts manufactured by Kabo, Inc., 729 Milwaukee Avenue, Chicago 22, Illinois, having the brand name(s) "Kabo" shall be the proposed retail ceiling prices listed by Kabo, Inc., in its application dated March 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 17, 1951, Kabo, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon isssuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective July 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 18, 1951.

[F. R. Doc. 51-8469; Filed, July 18, 1951; 4:38 p. m.]

[Delegation of Authority 6, Amendment 1 to Supplement 1]

DIRECTORS OF THE DIVISIONS OF THE OFFICE OF PRICE STABILIZATION

REDELEGATION OF AUTHORITY TO ESTABLISH CEILING PRICES AFTER DISAPPROVAL OF PROPOSED PRICES OR PENDING THE OBTAINING OF FURTHER INFORMATION

By virtue of the authority vested in me as Assistant Director for Price Operations, Office of Price Stabilization, by Office of Price Stabilization Delegation of Authority No. 6, Amendment 1, this amendment to Delegation of Authority 6, Supplement 1 (16 F. R. 3672) is hereby issued.

Amendatory provisions. Delegation of Authority 6, Supplement 1 (16 F. R. 3672) is amended in the following respects:

1. Item 3 is redesignated as item 4.

2. A new item 3 is added to read as follows:

3. Authority is hereby delegated to the Directors of the Divisions of the Office of Price Operations, Office of Price Stabilization, to establish a ceiling price in accordance with any ceiling price regulation which provides for the establishment of a ceiling price by the Director of Price Stabilization either where the ceiling price proposed by the seller under the regulation has been disapproved in whole or in part, or where more information is required.

This amendment shall take effect on July 20, 1951.

EDWARD F. PHELPS,
Assistant Director for Price Operations.

JULY 19, 1951.

[F. R. Doc. 51-8490; Filed, July 19, 1951; 12:34 p. m.]

[Delegation of Authority 13, Supplement 1]

TERRITORIAL DIRECTORS

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of Region 14 of the Office of Price Stabilization by Office of Price Stabilization Delegation of Authority No. 13 (16 F. R. 6806), this delegation of authority is hereby issued.

1. *Authority to act under section 13 of CPR-11, as amended.* Authority is hereby delegated to the Directors of the Territorial Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under

the provisions of section 13 of CPR-11, as amended.

This delegation of authority shall take effect on July 20, 1951.

J. HERBERT MEIGHAN,
Director, Region 14.

JULY 19, 1951.

[F. R. Doc. 51-8491; Filed, July 19, 1951; 12:34 p. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2564]

CHICAGO AND SOUTHERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Chicago and Southern Air Lines, Inc., for its Latin American operations.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on July 31, 1951, at 10:00 a. m., e. d. s. t., in Room E-210, Temporary Building No. 5, Constitution Avenue between Sixteenth and Seventeenth Streets NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., July 17, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-8432; Filed, July 20, 1951; 8:51 a. m.]

[Docket No. 4341]

NORTHWEST AIRLINES, INC.; CARGO CASE

NOTICE OF HEARING

In the matter of the application of Northwest Airlines, Inc., under sections 401 and 416 of the Civil Aeronautics Act of 1938, as amended, for an exemption and for amendment of its certificate of public convenience and necessity for route No. 3.

Notice is hereby given that the above-entitled proceeding is assigned for hearing before Examiner Walter W. Bryan, on August 6, 1951, at 10:00 a. m., e. d. s. t., in Conference Room "C", Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets NW., Washington, D. C.

Without limiting the scope of the issues involved in this proceeding, particular attention will be directed to the question as to whether or not the public convenience and necessity require the amendment as proposed by applicant in its certificate for route No. 3 for all-cargo flights between the points indicated in applicant's application as amended.

Notice is further given that any person other than persons of record desiring to be heard in this proceeding must file with the Board on or before August 6, 1951, a statement setting forth the issues of fact or law to be controverted.

For further details of the matters involved in this proceeding interested persons are referred to the documents on file with the Board in the official docket of the proceeding.

Dated at Washington, D. C., July 17, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-8433; Filed, July 20, 1951; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9878, 9998]

PULASKI BROADCASTING CO. (WKSR), AND RICHLAND RADIO

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of John R. Crowder and James Porter Clark, d/b as Pulaski Broadcasting Company (WKSR), Pulaski, Tennessee, Docket No. 9878, File No. BP-7922; and Richland Radio, an unincorporated association, Pulaski, Tennessee, Docket No. 9998, File No. BP-7966; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of July 1951;

The Commission having under consideration the above-entitled applications of John R. Crowder and James Porter Clark, d/b as Pulaski Broadcasting Company to change facilities of Station WKSR from 730 kc, 250 w, daytime only, to 1420 kc, 1 kw, unlimited time, using a directional antenna at night and Richland Radio requesting a construction permit to build a new standard broadcast station to operate on 1,420 kc, with 1 kw power, unlimited time, using a directional antenna at night;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding commencing at 10:00 a. m. on August 14, 1951, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial and other qualifications of Richland Radio and the technical, financial and other qualification of the applicant partnership and its partners to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary

[F. R. Doc. 51-8446; Filed, July 20, 1951; 8:54 a. m.]

[Docket Nos. 9999, 10000]

WATERTOWN RADIO, INC. AND WILLIAM C. FORREST

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Watertown Radio, Incorporated, Baraboo, Wisconsin, Docket No. 9999, File No. BP-7990; William C. Forrest, Reedsburg, Wisconsin, Docket No. 10000, File No. BP-8121; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of July, 1951;

The Commission having under consideration the above-entitled applications requesting simultaneous co-channel operation in cities with a physical separation of approximately 14 miles, the Watertown Radio, Incorporated application requesting a construction permit for a new standard broadcast station on the frequency 1400 kilocycles, 250 watts power, unlimited time at Baraboo, Wisconsin and the William C. Forrest application requesting a construction permit for a new standard broadcast station on the frequency of 1400 kilocycles, 250 watts power, unlimited time at Reedsburg, Wisconsin;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding commencing at 10:00 a. m. on August 16, 1951, at Washington, D. C. upon the following issues:

1. To determine the technical, financial and other qualifications of the corporate applicant, its officers, directors and stockholders and of the individual applicant to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or

lose primary service from the operation of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with Stations WSAU, Wausau, Wisconsin, WDUZ, Green Bay, Wisconsin, WRJN, Racine, Wisconsin or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine the overlap, if any, that will exist between the service areas of the William C. Forrest proposed station and Station WIBU, Poynette, Wisconsin, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Journal Company, licensee of Station WSAU, Wausau, Wisconsin is made a party to this proceeding regarding the subject applications.

It is further ordered, That the Green Bay Broadcasting Company, licensee of Station WDUZ, Green Bay, Wisconsin and the Racine Broadcasting Corporation, licensee of Station WRJN, Racine, Wisconsin are made parties to this proceeding only with regard to Watertown Radio, Incorporated proposal.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8447; Filed, July 20, 1951; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1345, G-1523, G-1629]

EL PASO NATURAL GAS CO. AND NEVADA NATURAL GAS PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

In the matters of El Paso Natural Gas Company, Docket Nos. G-1345 and G-1629; and Nevada Natural Gas Pipe Line Co., Docket No. G-1523.

On March 22, 1950, El Paso Natural Gas Company (El Paso) filed in Docket No. G-1345 an application which was amended on September 14, 1950, for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act authorizing the construction and operation of certain facilities, the sale and transfer, and the acquisition and operation of certain other facilities relating to the transportation and sale of natural gas in the Phoenix, Arizona area. Due notice of the filing of the application and of the amendment thereto, has been given, including publication in the FEDERAL REGISTER on April 4, 1950 and October 24, 1950, respectively (15 F. R. 1902 and 7130). A temporary certificate was issued on October 27, 1950 to El Paso in the said Docket No. G-1345 to permit increased deliveries of natural gas to the Phoenix area subject to the conditions that the proposed additional deliveries should not be made when such gas was required by other resale customers of El Paso and that such issuance of the temporary certificate was without prejudice to final action by the Commission on said application as amended.

On March 6, 1951, El Paso filed in Docket No. G-1629 an application for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act authorizing the construction and operation of certain facilities for the tarnsportation and sale of 100,000,000 cubic feet of natural gas per day, in the States of Texas, New Mexico and Arizona. Due notice of the filing of the application has been given, including publication in the FEDERAL REGISTER on March 24, 1951 (16 F. R. 2666).

On November 1, 1950, Nevada Natural Gas Pipe Line Co. (Nevada) filed in Docket No. G-1523 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain facilities for the transportation of natural gas from the pipeline facilities of El Paso at Topock, Arizona, to the Cities of Needles, California, and Boulder City and Las Vegas, Nevada, and the sale of such gas to distributing companies in said cities. Due notice of the filing of the application has been given, including publication in the FEDERAL REGISTER on November 14, 1950 (15 F. R. 7731). On April 13, 1951, Nevada and Las Vegas Gas Company, a distributing company, filed a joint petition to intervene in the above Docket No. G-1629 for the purpose of requiring the delivery and sale of natural gas by El Paso to Nevada at Topock, Arizona, and on May 22, 1951, by order the joint petitioners were permitted to become interveners in said Docket No. G-1629. Thereafter on June 18, 1951, Nevada filed a petition to consolidate the proceedings in Docket Nos. G-1523 and G-1629 for hearing and final determination and limited its application to the transportation of natural gas to the areas of Las Vegas and Boulder City, Nevada. On June 27, 1951, El Paso filed an answer in opposition to the petition of Nevada to consolidate and stated that the request to consolidate should be made in Docket No. G-1630, being another application filed by El Paso.

The Commission finds: Good cause exists to consolidate the proceedings on the above applications for the purposes of hearing and disposition.

The Commission orders:

(A) The aforesaid proceedings in Docket Nos. G-1345, G-1523 and G-1629 be and the same hereby are consolidated for purposes of hearing and disposition.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, a hearing be held on August 13, 1951, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented in Docket Nos. G-1345, G-1523 and G-1629.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: July 17, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8421; Filed, July 20, 1951; 8:47 a. m.]

[Docket No. G-1664]

SOUTHWEST GAS CORPORATION, LTD.

NOTICE OF FINDINGS AND ORDER

JULY 18, 1951.

Notice is hereby given that, on July 17, 1951, the Federal Power Commission issued its findings and order entered July 17, 1951, issuing a certificate of service in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8439; Filed, July 20, 1951; 8:51 a. m.]

[Docket Nos. G-1473, G-1649, G-1693, G-1727, G-1737]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

ORDER FIXING DATE OF HEARING AND CONSOLIDATING PROCEEDINGS

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama-Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649; Shippensburg Gas Company, Docket No. G-1727; Consumers Gas Company, Docket No. G-1737.

On July 9, 1951, Consumers Gas Company, an Illinois corporation with offices at 701 Old National Bank Building, Evansville, Indiana, filed an application pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of a meter and regulator station at a point near Carmi, Illinois, and applied for an order pursuant to section 7 (a) of the Natural Gas Act requiring Texas Eastern Transmission Corporation to deliver up to 3,200 Mcf

of natural gas per day commencing in 1951. By its application in Docket No. G–1693 Texas Eastern proposes to make such sales to Consumers commencing in 1952.

On June 27, 1951, the Commission issued an order consolidating Docket Nos. G–1693, G–1473, and G–1649 for purpose of hearing and fixed July 24, 1951, as the date when such hearing should commence. On July 3, 1951, an order was issued consolidating Docket No. G–1727 with the foregoing dockets for purpose of hearing. Orderly procedure requires that Docket No. G–1737 be consolidated therewith for purpose of hearing and that the hearing commence at the time heretofore fixed for the hearing on the other consolidated dockets.

The Commission finds:

(1) Orderly procedure requires that the proceedings in Docket Nos. G–1693, G–1473, G–1649, G–1727 and G–1737 be consolidated for purpose of hearing and be heard at the time previously set for the hearing of the first four of the foregoing dockets.

(2) Good cause exists and it is reasonable to set the application in Docket No. G–1737 for hearing without the normal 15 days' notice.

The Commission orders:

(A) The proceedings in Docket Nos. G–1693, G–1473, G–1649, G–1727 and G–1737 be and they are hereby consolidated for purpose of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held commencing on July 24, 1951, at 10:00 a. m. e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such applications.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: July 17, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51–8419; Filed, July 20, 1951; 8:46 a. m.]

[Docket No. G–1734]

SOUTHERN UNION GAS CO.

NOTICE OF APPLICATION

JULY 17, 1951.

Take notice that Southern Union Gas Company, a Delaware Corporation having its principal place of business at Dallas, Texas, filed on July 3, 1951, an application for a certificate of public convenience and necessity authorizing installation and operation of a 300 hp. semiportable compressor, including foundation, controls, and other related facilities, to be located in the Ute Dome Gas field, San Juan County, New Mexico, near the Southern terminus of applicant's 6-inch natural gas transmission pipe line extending to Durango, Colorado.

The proposed facilities will be used for the compression of natural gas from the Ute Dome wells for delivery to applicant's distribution system in Durango and environs through applicant's 6-inch main line. Installation of the proposed compressor and appurtenant facilities will permit applicant to withdraw additional gas during peak periods, to maintain sufficiently high line pressures, and to increase the volume of gas ultimately recoverable from the Ute Dome Gas field. The compressor will have an initial capacity of approximately 5,500 Mcf per day, with a 150 p. s. i. g. suction pressure. No new communities will be served.

The cost of the proposed facilities is estimated at $51,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 6th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51–8420; Filed, July 20, 1951; 8:46 a. m.]

[Docket No. E–6366]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

JULY 18, 1951.

Notice is hereby given that, on July 17, 1951, the Federal Power Commission issued its order entered July 17, 1951, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51–8438; Filed, July 20, 1951; 8:51 a. m.]

[Project No. 1625]

OTTO SCHAEFER

NOTICE OF ORDER ISSUING NEW LICENSE

JULY 18, 1951.

Notice is hereby given that, on July 5, 1951, the Federal Power Commission issued its order entered May 29, 1951, issuing new License (Minor) in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51–8440; Filed, July 20, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–2355]

ALLIED PRODUCTS CORP.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of July A. D. 1951.

Allied Products Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2–1 (b) promulgated thereunder, has made application to withdraw from registration and listing on Midwest Stock Exchange its Common Stock, $5.00 Par Value. The application for withdrawal alleges the following:

(1) During the period from January 1, 1946 to July 1, 1951, transactions were effected on Midwest Stock Exchange in 1,050 shares of the above security.

(2) The most recent transaction in the above security that has occurred on Midwest Stock Exchange took place on February 10, 1947, at which time 50 shares of the above security were sold on Midwest Stock Exchange.

(3) Activity on Midwest Stock Exchange in the above security has decreased to such a point that continuation of registration and listing of this security on this exchange is no longer necessary.

(4) The above security is and will continue to be, registered and listed on the New York Curb Exchange.

Upon receipt of a request, prior to August 13, 1951, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51–8426; Filed, July 20, 1951; 8:48 a. m.]

[File No. 70–2648]

DERBY GAS & ELECTRIC CORP.

ORDER AUTHORIZING ISSUANCE AND SALE OF DEBENTURES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of July A. D. 1951.

Derby Gas & Electric Corporation ("Derby"), a registered holding company, and its subsidiary public utility companies having filed a joint application and declaration and amendments thereto pursuant to sections 6 (a), 7, 9, 10 and 12 (b) and (d) of the Public Utility Holding Company Act of 1935 ("act").

and Rules U-44, U-45, and U-50 promulgated thereunder, with respect to the following transactions:

Derby, a Delaware corporation, has three operating subsidiaries, The Derby Gas and Electric Company, a Connecticut corporation ("Derby Subsidiary"), The Wallingford Gas Light Company, a Connecticut corporation, ("Wallingford"), and The Danbury and Bethel Gas and Electric Light Company, a Connecticut corporation ("Danbury"). Derby proposes to issue and sell $900,000 aggregate principal amount of debentures and such number of shares of its common stock as may be necessary to raise the amount of approximately $275,000, the number of shares sold, however, in no event to equal such number as will cause the aggregate offering price to the public to exceed $300,000.

The debentures will be issued under an indenture supplemental to the Derby indenture to Manufacturers Trust Company, Trustee, dated as of July 1, 1947, and will be sold to The Equitable Life Assurance Society of the United States at the principal amount thereof plus accrued interest from July 1, 1951, to date of payment. The new debentures will bear interest at the rate of 3½ percent per annum and will mature July 1, 1957. The supplemental indenture will provide for sinking fund payments of $9,000 per annum. The supplemental indenture also provides for the payment of the entire $900,000 proceeds into a special fund from which Derby may draw, upon the basis of property additions since January 1, 1951.

It is proposed that approximately 12,500 shares of common stock of Derby which are the subject of the joint application and declaration herein will be offered for sale to the public through an underwriter or underwriters pursuant to a negotiated transaction. The identity of the underwriter or underwriters as well as the number of shares to be sold, the price at which the shares are to be sold and the underwriting spread will be supplied by amendment.

All of the proceeds of the proposed sale of debentures and common stock of Derby will be applied toward the 1951 construction program of the Derby system, including the repayment of money which has already been borrowed from Manufacturers Trust Company and utilized for this purpose. Total construction expenditures are estimated to be $1,742,450, of which amount $282,100 is to be expended in connection with the conversion of consumers' appliances to the use of natural gas.

The funds for the 1951 construction program, other than the aforesaid $282,100 to be spent for conversion of consumers' appliances to the use of natural gas, will be donated by Derby to its subsidiaries as capital contributions. The $282,100 to be spent for conversion of consumers' appliances as aforesaid will be loaned by Derby to its subsidiary companies, as disclosed by amendment filed herein, in the form of non-interest bearing demand notes, certain of which aggregating $122,100 principal amount will be pledged under Derby's debenture indenture. It is anticipated that the indebtedness will be liquidated by monthly payments made to Derby in amounts equal to the amounts at which the cost of the conversion of consumers' appliances is amortized over a period of years, as approved by the Public Utilities Commission of Connecticut.

The said joint application and declaration having been filed on June 8, 1951, and the last amendment thereto having been filed on July 2, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period of time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application and declaration, as amended, relating to the issuance and sale of the debentures, the capital contributions to Derby's subsidiaries and the issuance of notes by such subsidiaries, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application and declaration, as amended, be granted and permitted to become effective without the imposition of terms and conditions, other than those specified below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application and declaration, as amended, relating to the issuance and sale of the debentures, the capital contributions to Derby's subsidiaries and the issuance of notes by such subsidiaries, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule-24 and to the following additional terms and conditions:

(1) That jurisdiction be and hereby is reserved in all respects concerning Derby's proposed issuance and sale of common stock;

(2) That Derby's subsidiaries shall have obtained proper authorization for the proposed issuance of demand notes from the Public Utilities Commission of the State of Connecticut and shall have filed a copy of the order or orders in this proceeding;

(3) That jurisdiction be reserved with respect to the payment of fees and expenses in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8424; Filed, July 20, 1951; 8:47 a. m.]

[File No. 70-2661]

MYSTIC POWER CO.

NOTICE OF PROPOSED BANK BORROWINGS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of July, A. D. 1951.

Notice is hereby given that The Mystic Power Company ("the Company"), a subsidiary of New England Electric System ("NEES"), a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), and has designated sections 6 (a) and 7 of the Act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than July 26, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 26, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The Company proposes to borrow not to exceed in the aggregate $275,000 from time to time prior to September 30, 1951, and to issue unsecured promissory notes in evidence thereof. The proposed borrowings will be made in the indicated amounts from the following banks:

Industrial Trust Co., Westerly, Branch, Westerly, R. I.	$150,000
Washington Trust Co., Westerly, R. I.	100,000
The Phenix National Bank of Providence, Providence, R. I.	25,000

The proposed notes will mature not later than six months after the respective dates thereof and will bear interest at the then prime rate of interest, which is presently 2½ percent. If the prime interest rate should exceed 2¾ percent at the time of said borrowings, the Company will file an amendment to its declaration setting forth the name of the bank or banks, and the terms of the note or notes, including the interest rate, at least five days prior to the execution and delivery thereof, and asks that such amendment become effective without further order of the Commission at the end of the five day period unless the Commission shall have notified the Company to the contrary within said period.

The Company presently has outstanding $50,000 principal amount of unsecured short-term notes, and upon issuance of the proposed notes, aggregating $275,000 principal amount, its total indebtedness for borrowings will be $325,000. The proceeds to be derived from the proposed borrowings are to be used to pay for construction work and to reimburse the treasury because of prior construction requirements.

The declaration states that the Company expects that the proposed note indebtedness will be financed permanently through the issuance of common stock to NEES in the latter part of 1951 and has been advised that NEES expects to have the necessary funds to invest in such common stock from the proceeds of the sale of its system gas properties located in Massachusetts.

The declaration further states that there are no fees, commissions or other remuneration involved in connection with the proposed transactions except that incidental services will be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof. Such cost is estimated not to exceed $500.

It is represented that no regulatory authority, other than this Commission, has jurisdiction over the proposed transactions.

It is requested that the Commission's order herein become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8425; Filed, July 20, 1951; 8:48 a. m.]

[File No. 70-2667]

GENERAL PUBLIC UTILITIES CORP. AND NEW JERSEY POWER & LIGHT CO.

NOTICE OF PROPOSED ISSUANCE, SALE AND ACQUISITION OF COMMON STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of July A. D. 1951.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act") by General Public Utilities Corporation ("GPU"), a registered holding company, and its wholly owned subsidiary, New Jersey Power & Light Company ("NJP&L"), an electric utility company. Applicants have designated sections 6 (b) and 10 of the act and Rule U-23 promulgated thereunder as applicable to the proposed transaction.

All interested parties are referred to said declaration on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

NJP&L proposes to issue and sell to GPU, from time to time commencing on or about July 25, 1951, and concluding on or before June 1, 1952, and GPU proposes to purchase from NJP&L, an aggregate of 16,000 additional shares of the Common Stock (without nominal or par value) of NJP&L for a purchase price of $93.75 per share, or an aggregate of $1,500,000. The proceeds from the sale of the additional shares will be used by NJP&L to partially reimburse its treasury for the cost of additions to and improvements in its electric utility plant made between December 1, 1949, and May 31, 1951.

The applicants state that the issuance and sale of such additional shares are solely for the purpose of financing the business of NJP&L, being designed to supply the common stock component of its capital requirements in connection with its construction program; and that NJP&L expects subsequently to file with the Commission an application with respect to the issuance and sale of senior securities in the aggregate principal amount or par value of approximately $2,500,000.

A petition has been filed by NJP&L requesting approval of the issuance and sale of said stock by the Board of Public Utility Commissioners of the State of New Jersey, the regulatory commission of the State in which NJP&L is organized and doing business.

NJP&L estimates that its expenses in the transaction will be $4,500, including $1,500 for counsel fees. No special legal expenses of GPU are involved.

Notice is further given that any interested person may, not later than July 27, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application-declaration, as filed or as amended, may be granted and allowed to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8427; Filed, July 20, 1951; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

JOSEPH ROHMER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Correction

In Federal Register Document 51-8306, appearing on page 6989 of the issue for Thursday, July 19, 1951, the name "Joseph Robmer" should read "Joseph Rohmer".

[Vesting Order 18199]

LEO STACHEL

In re: Debt owing to Leo Stachel. F-66-33.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Leo Stachel, whose last known address is Homburg, 79 Kaiserstrasse, Germany, is a resident of Germany and a national of a designated country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of $20,873.25, arising out of a portion of an account maintained with the aforesaid Chase National Bank in the name of "Nic Bickel, deceased", together with any and all accruals thereto, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Leo Stachel, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51-8385; Filed, July 19, 1951; 9:01 a. m.]

[Vesting Order 18198]

BERTHE A. NEUMANN

In re: Securities owned by and debt owing to Berthe A. Neumann. F-28-31522.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Berthe A. Neumann, whose last known address is c/o Kollman, 76

Eisenacherstrasse, Berlin-Schoneberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Fifty (50) shares of no par value common stock of Keystone Steel & Wire Company, Peoria, Illinois, evidenced by a certificate or certificates presently in the custody of Winthrop Mitchell & Company (in liquidation), 61 Broadway, New York 6, New York, for the account of Miss Berthe A. Neumann, together with all declared and unpaid dividends thereon,

b. One hundred (100) shares of (OLD) no par value common stock of Philadelphia & Reading Coal & Iron Corporation, Philadelphia, Pennsylvania, evidenced by a certificate or certificates presently in the custody of Winthrop Mitchell & Co. (in liquidation), 61 Broadway, Room 3014, New York 6, New York, in the account of Miss Berthe A. Neumann, together with all declared and unpaid dividends thereon,

c. Twenty-five (25) shares of stock of Tri-Continental Corporation, 65 Broadway, New York, New York, evidenced by a certificate or certificates presently in the custody of Winthrop Mitchell (in liquidation), 61 Broadway, Room 3014, New York 6, New York, in the account of Miss Berthe A. Neumann, together with all declared and unpaid dividends thereon, and

d. That certain debt or other obligation of Winthrop Mitchell & Company (in liquidation), 61 Broadway, Room 3014, New York 6, New York, arising out of funds held for the account of Miss Berthe A. Neumann, together with any and all accruals of the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8384; Filed, July 19, 1951; 9:01 a. m.]

[Vesting Order 18195]

JOSEPHINE KRAFT LEITZ ET AL.

In re: Securities owned by Josephine Kraft Leitz and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibits A and B attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth in Exhibits A and B hereof and by reference made a part hereof are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That the personal representatives, heirs, next of kin, legatees and distributees of Wilhelm Berg, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

4. That Josephine Kraft Leitz, whose last known address is Oberammergau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Wilhelm and Frieda Schuetting, whose last known address is Scharzenfeld/Bayer, Germany, are residents of Germany, and nationals of a designated enemy country (Germany);

6. That Volksbank Staufen e. G. m. b. H., whose last known address is Staufen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Staufen, Germany, and is a national of a designated enemy country (Germany);

7. That Heinz Moser, whose last known address is Ruesselsheim, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

8. That the personal representatives, heirs, next of kin, legatees and distributees of Sophie Gottschalk (nee Ballin), deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

9. That Volksbank, Bretten e. G. m. b. H., whose last known address is Bretten-Baden, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Bretten-Baden, Germany, and is a national of a designated enemy country (Germany);

10. That the property described as follows:

a. Three (3) certificates of deposit for Rock Island, Arkansas and Louisiana Railroad Company first mortgage 4½ percent gold bonds due March 1, 1934, of $500.00 face value each numbered ND 263, ND 264, and ND 265, owned by Josephine Kraft Leitz, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

b. One (1) certificate of deposit numbered 205, for Terminals Office Building 6 percent real estate first mortgage serial gold bond numbered M 229, owned by Joseph and Mathilda Mittenberger, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) Trustee's Certificate issued by the Liberty Title and Trust Company, numbered 01911 for one-fifth (⅕th) of one share of $20.00 par value stock of The Metals Coating Company of America, owned by Wilhelm and Frieda Schuetting, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) Trustee's Certificate issued by the Liberty Title and Trust Company, numbered 02894, for one-fifth (⅕th) of one share of $20.00 par value stock of The Metals Coating Company of America, owned by Volksbank Staufen e. G. m. b. H., which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. One (1) common stock scrip certificate numbered CS 264, for thirty-three one hundredths (33/100ths) of one share of The Studebaker Corporation owned by Heinz Moser, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. Two (2) Western New York and Pennsylvania Railroad Company Scrip Certificates numbered 4429 and 4430, each evidencing an indebtedness of $15.00, owned by the personal representatives, heirs, next of kin, legatees and distributees of Sophie Gottschalk (nee Ballin), deceased, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. One (1) German Certificate, Fractional Warrant No. 0545, Lit. B, issued by the Mitteldeutsche Creditbank on August 16, 1895, owned by Commerzbank A. G., which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. Eight (8) Second Mortgage Income Scrip Certificates of the Western New York and Pennsylvania Railroad Company, numbered 3162, 3603, 4286, 4469, 4526, 4593, 4738 and 4664, owned by

Volksbank, Bretten e. G. m. b. H., which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. Two (2) Western New York and Pennsylvania Railroad Company Scrip Certificates numbered 4143 and 4144, owned by Volksbank, Bretten e. G. m. b. H., which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. Three hundred (300) preferred rights of the Spokane & Island Empire Railroad Company, evidenced by certificates numbered F 1262, F 1263 and F 1264, issued in the name of Franklin Trust Company as Depositary for Alien Property Custodian Trust No. 475, owned by Hochschildsche Immobiliengemeinschaft, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

k. One (1) scrip certificate numbered DS 5650, of $56.25 face value in respect to 10-year convertible 6 percent Studebaker Corporation debentures, due January 1, 1945, owned by Heinz Moser, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

11. That to the extent that the persons referred to in subparagraphs 1, 2, 3 and 8 hereof and the persons named in subparagraphs 4, 5, 6, 7 and 9 hereof are not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 16, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
The Rock Island Co.	Common	$100.00	B47302/3	20	Paul Rothenbaecher.
Do.	do.	100.00	B123754/5	600	Marie Schuetz.
			B83714/18		
			B83637		
			B97540		
			B107732/3		
			B119617/21		
			B119632/36		
			B119644		
			B119646/7		
			B47304		
			B127723/4		
			B88740/19		
			B120047		
			B54923/3		
			B80391/2		
			B80442/3		
			B98288/90		
			B89650/1		
			B106145		
Rodrian Electro-Metallurgical Co., Inc.	do.	10.00	151	20	Marianne Haas.
			152		
			425		
			426		
United States Cobalt Co.	Capital	1.00	A847/50	600	Deutsche Bank.
			3779		
			404		
The United States Printing & Lithographic Co.	Cumulative preferred, series A.	50.00	6795	1	Do.
Do.	Common	None	01680	2	Do.
Western Metallurgical Co.	Preferred	100.00	35	50	Metallgesellschaft A. G.
Do.	Common	None	90	50	Do.
The Rock Island Co.	do.	100.00	B123532/4	355	Frankfurter Bank.
			B129413/17		
			B41525		
			B127320		
			B92708/11		
			B83694		
			B127796		
			B77852/3		
			B39288		
			B45288/9		
			B86843		
			B89098/101		
			B132889/90		
			B112378		
			B431362/3		
			B154884/6		
			B128414		
			B127107		
Do.	Preferred	100.00	33405	80	Do.
			28528		
Postal Telegraph & Cable Corp.	Preferred 7 percent non-cumulative.	100.00	N21531	50	Landgraeflich Hessische Hauptverwaltung Schloss Philippsruhe.
The Rock Island Co.	Common	100.00	B120830/34	50	Emilie Schmitt.
Do.	do.	100.00	B24775	170	Karl Merkel.
			B114173		
			B79860/3		
			B113758		
			B120861		
			B120852/60		
Do.	Preferred	100.00	29596	25	Do.
Do.	Common	100.00	B133629/30	50	Kaethe Mack.
			B133632/3		
			B135970		
			B137417		
			B138717		
			B11656		
			B38798		
			B45370		
			B135961/7		
Do.	do.	100.00	B45371/3	30	Johanna Rothenbaecher.
Isabella Gold Mining Co.	Capital	1.00	9957	100	Commerzbank.
Daly Mining Co.	do.	20.00	3606	50	Hochschildsche Immobiliengemeinschaft.
The Defender Gold Mining Co.	do.	1.00	1282	500	Estate of Wilhelm Berg.

EXHIBIT B

Description of issue	Face value	Bond No.	Owner
Wisconsin Central Ry. Co. first general mortgage 4 percent gold bond.	$1,000.00	22352	Anna Gruenig.
St. Louis-San Francisco Ry. Co. prior lien mortgage 4 percent gold bonds, Series A.	500.00	D6603	Carl Friedrich Kuenstler and Elisabeth Marie Kuenstler.
	250.00	Y8038	
Terminals Office Building 6 percent real estate first mortgage gold bond.	1,000.00	M228	Joseph and Mathilda Mittenberger.
Western New York & Pennsylvania Ry. Co. 5 percent income mortgage bonds.	[1] 1,000.00	728/85	Commerzbank A. G.

[1] Each.

[F. R. Doc. 51-8381; Filed, July 19, 1951; 9:01 a. m.]